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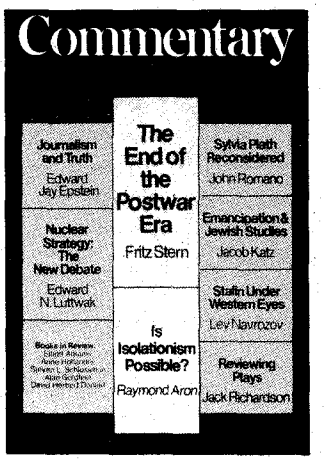

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TRB

from Washington
April 27, 1974

Losing Streak

President Nixon is a gambler who bets for high stakes; he gambled that his income tax returns would not be questioned and they made him, briefly, a millionaire. He lost. His foray into the Michigan eighth district was also a gamble: the area has been Republican for 40 years. He lost that one, too.

Other gambles lie ahead. Surely his desperate luck will turn in time. He gambled that the House Judiciary Committee and Special Prosecutor Leon Jaworski wouldn't issue subpoenas. They did. On the Judiciary Committee Mr. Nixon's own Republicans turned against him with a 33-3 vote, and chairman Rodino once more adroitly preserved bipartisanship. Mr. Nixon will take another gamble shortly: he goes to Moscow sometime in June; his popularity rises abroad when he is the symbol of the nation. He is a wounded President seeking foreign triumphs and the Russians will help him, up to a point.

At some time not too distant a delegation of Republicans is likely to call on Mr. Nixon and tell him that he ought to consider stepping down. There is nothing but disaster ahead as things are going. The party has lost four out of five recent elections, including areas that haven't been Democratic for generations. Another contest is coming up—California's sixth district, which like the others has been a safe GOP seat. Consider the prospect of a "veto-proof" Democratic Congress this fall, consider Jerry Ford in 1976; yes, consider the country, too. It would be the easy thing for Nixon to stay, they may say grimly, but the courageous thing would be for him to step aside.

Will Mr. Nixon heed? We doubt it; not at first anyway. Later, perhaps. A Washington reporter meanwhile constantly asks himself in these strange days how our government manages to function. Here is Mr. Agnew who, if he hadn't been Vice President, would now probably be in jail. Here is Mr. Nixon who, if he weren't President, would likely now be indicted by the same grand jury that indicted his many aides. Here is a Republican party in shambles, and a sullen, venomous mood in the nation at large expressed in the Harris poll that reports for the first time that a plurality, 43 percent to 41 percent, wants Mr. Nixon impeached and removed. Well, of course, Truman's Gallup rating at one time sank to 23 percent (1951); and that sturdy little man wasn't impeached.

It is rather inspiring, in a negative sort of way, that the country is getting on as well as it is. Fifty million people paid their income taxes last week much the same as always though many must have malevolently thought of Mr. Nixon's returns as they gummed the envelope. Some benefits accrue: the Nixon tax case has jolted chairman Wilbur Mills into a new effort at tax reform legislation this June; Congress might pass it, with another Watergate dividend, a law to curb big campaign bribe-contributions.

It is a special virtue of America, we think, that instead of lapsing into paralyzed cynicism over such outrages the man-on-the-street demands reform and still believes enough in his government and his country to expect to get it. Sometimes it is touch-and-go. An authoritative new study by Joseph Pechman and Benjamin Okner at Brookings *(Who Bears the Tax Burden?)* shows that the tax bite is much the same proportionately for nine out of 10 Americans, what with loopholes and escape hatches for the well-to-do. Obviously, in such circumstances, the gap between rich and poor will never grow smaller despite the illusion of "progressive" taxes. A sardonic *New Yorker* cartoon recently showed a humble clerk standing before the desk of his boss, who is telling him succinctly, "I'm afraid a raise is quite out of the question, Hopkins, but perhaps one of our lawyers can suggest some tax loopholes for you." That gives the mood.

Government goes on in Washington but there is also the constant feeling of neglect. Any sensible man knows that the energy shortage is still here and that the President should be urging the public to keep on saving as they did in the oil embargo. But that would require some expenditure of Mr. Nixon's hoarded moral authority. He is in no mood to give it. He could be leading the drive, too, to alert the country to the impending world food shortage and probable famine. Do-gooders plead with him: Paul and Arthur Simon in their book *The Politics of World Hunger* (Harper) say, "It is time to face an ugly truth. The United States is not seriously trying to help the human race overcome hunger and poverty."

But Mr. Nixon has not shown much zeal about hunger at home, let alone abroad, and he has troubles of his own.

We try not to be unfair. In August 1969 he staggered many of us by proposing a far-reaching family assistance program (FAP) which was the brainchild of Daniel Patrick Moynihan. In his next State of the Union message he boasted that it was "a basic income floor under every family with children in this nation" and he exulted in the New American Revolution—"a revolution as profound, as far-reaching, as exciting, as that first revolution almost 200 years ago." That wasn't just hyperbole, it was a radical plan. It remains one of the strangest and most mysterious episodes of this strange administration. Last month a rash of news stories appeared that Mr. Nixon is going to revive the idea. Well, a man who can take a chance in the Michigan election might take another whirl at improving his welfare image.

The Nixon FAP was a variant of the negative income tax, with a guaranteed $1600 for a family of four, plus food stamps. It twice passed the House. Whatever happened to it? Mr. Nixon cooled to the idea and Sen. McGovern killed it by coming out in 1972 for his own plan to federalize welfare and establish a guaranteed income of $4000 for a family of four, financed by tax reform. That did it so far as Mr. Nixon was concerned. He rejected any Senate compromise that would have helped pass his program and thereupon scoffed at the McGovern scheme. By the time the GOP convention came he had gotten so far away that, as MIT professor Lester Thurow wonderingly wrote, "the Republican platform declared that it was unalterably opposed to the guaranteed income in any form, despite the fact that this was exactly what the President's family assistance plan had promised."

Maybe the weather vane has shifted again.

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Oil Profits Spree

Eight weeks have elapsed since President Nixon vetoed a bill to reduce oil prices and six months since the Arabs clamped on the oil embargo. Today about a third of US domestic crude oil is being sold at the grossly inflated price of $10 a barrel. Energy prices continue to soar in delayed response to the crisis: regular gas at the pump costs about 53 cents a gallon and monthly bills for all-electric houses in New York hover around $200. Other energy costs are rising apace. Unfettered free enterprise is having a field day, and the government chooses not to challenge the monopoly that keeps prices rising. The President has retired from battle. Energy czar William Simon (now nominated to be Secretary of the Treasury) spoke not long ago of rolling back the price of the most expensive oil from $10 to $7.88 a barrel; he hasn't mentioned a rollback since. The large oil-energy corporations that could sit on inflation are letting it rip. And why not? The Sun Oil Company last week reported that its first quarter profits this year were 85 percent higher than in the same period in 1973. Oil that sold a little more than a year ago at the profitable level of $3.40 a barrel now sells at $5.25 or $10 a barrel. The gap between the '73 and '74 price represents almost pure profit, for company costs haven't gone up that much. The policy of this administration is to put its trust in Big Oil and hope for the best.

This would cause less concern if there were a spark of competition left among the major producers. There isn't. Nor would there be so much anxiety if the energy bureaucrats would regulate prices strictly according to cost. They don't. The energy office deals with oil on a ramshackle "two-tier" system. It keeps the less expensive domestic oil—called "old oil," the stuff that's been flowing from old wells since 1972—on the lower tier. Before the embargo, this oil sold for $3.40 a barrel; now under regulation it goes for $5.25. By holding the price at this level, the energy office in effect concedes that competition is in short ration: in a competitive market, prices don't rise so fantastically. (The $5.25 figure, incidentally, is arbitrary: it is just the price at which "secondary recovery" is supposedly profitable.) While regulating this "old oil," the FEO leaves the other oil to run wild on the upper tier. This "new oil" is any that is produced from a new well since 1972, or oil that comes from increased production of an old well. Some new oil may be cheap to produce but sells at nearly three times

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the level of last year's oil. There's no ceiling on it. Then there's a third category that can be called loophole oil. The energy office has decided to let any company that produces a barrel of new oil take a barrel of old, label it "new" and sell it at the higher price. Can you follow that? Let's state it again: for every barrel of new oil taken from the ground, a barrel of old becomes new. David Freeman, director of the Ford Foundation energy policy project, calls this the "fountain of youth."

The oil companies are naturally eager to have their output fall into the "new" and not the "old" category. Since the energy office launched this policy, the volume of new oil has jumped dramatically: nearly 40 percent of domestic production in January was classified as "new." Yet total production of crude oil has not increased; it has fallen off slightly. Dr. Fred Allvine, a staff member of the Senate investigations subcommittee, wonders where all that "new" oil is coming from. "It's a perfect case for a public oversight hearing," he says. "Here we have the government supposedly setting national policy and no one can really say what's happening." Allvine feels the President still hasn't considered the consequences of letting the country drift into a system of high-priced energy. It is wrong, he says, to leave decisions of this importance up to the energy corporations, for their loyalties and their interests do not necessarily coincide with the public's.

Another area that needs oversight is the unexplored territory called "production costs." It has been frequently pointed out that the government has no accurate measure of what it costs to produce a barrel of oil, but pointing it out hasn't provoked any remedial action. No one, certainly not the industry, has offered to calculate the true relationship between cost and profit. Some guesses have been offered. We are told that it costs about 12 cents to produce a barrel of oil in the Middle East, and a couple of congressional studies have said that it costs around $2.60 to produce a barrel in the US, but these are only guesses, and old ones. The Senate Finance Committee, headed by Russell Long of Louisiana, recently inquired into the subject of "oil company profitability." As one committee staffer said, "It was an unremitting series of oil company executives saying these yearly profit figures are terribly misleading, the rate of return is below the national average and so on." Much was made of the industry's heavy investment burden; nothing was said about the actual per-barrel cost of bringing oil to the surface, transporting it and the rest. Sen. Jackson looked at oil company profits early this year when the first colossal earnings were reported. He learned that drilling by six of the seven largest companies declined from 1972 to 1973, and all seven companies told him that they had not held any oil out of production during the crisis, except for the oil that they felt wasn't producible for technical, legal or economic reasons. Jackson's staff continues to pore over the reams of financial information sent in by the companies, but if you ask David Schwartz, number-two economist at the Federal Power Commission, about the gap between costs and profits, he smiles: "You can approach this thing intuitively, but you're trying to quantify this and I think you're just going to find problems. You'll never get all the pieces, it's a big conundrum."

Before the conundrum can be answered, the industry must let go a good deal more information about fuel pricing and the actual cost of exploring and drilling—information that is considered "proprietary" and which not even the Interior Department is allowed to see.

Several proposals to create a federal data center to analyze this information are before Congress, the best of them contained in the Consumer Energy Act of 1974, cosponsored by Sens. Adlai Stevenson and Warren Magnuson. Besides requiring a complete survey of current data the industry holds to its chest, the bill would create a federal oil and gas corporation to compete with the majors and provide a yardstick by which to measure their profits. The proposed FOGC would get first choice of 20 percent of all federal oil land put up for bidding, operate on a skimpy appropriation of $50 million (skimpy when compared to Exxon's gross revenue of $25.7 billion last year) and do its business in the open for all to observe. This is only one of about eight reforms in the bill, but it's one of the most important.

The next most urgent task is to restrain oil profiteering. Congress doesn't have to pass a miracle, just a law. One approach to profiteering is through the removal of old tax concessions, and that process has already begun. After weeks of hesitating, the Ways and Means Committee in the House has proposed that the oil depletion allowance be phased out. The Stevenson-Magnuson bill in the Senate takes a different approach to profit control, one that's been tried already and vetoed by the President. But when the new profit figures come out this spring, there may be a push to try again. This second approach would roll back the price of old oil to the level of last December ($4.25 a barrel) and hold new oil to a level of seven dollars a barrel. Although we have no clear idea today of what constitutes a "fair" price, we do know that the industry is taking in large sums that aren't justified by past expenditures nor any costs looming in the immediate future. A rollback of this sort, according to David Freeman, would allow far more than adequate incentive to search for oil and experiment with new fuels like shale. Even if one accepts the major companies' premise that offshore oil, shale and coal projects will require huge new funds, one needn't accept their conclusion that they deserve to get the profits they're getting, or that government should steer clear of any TVA type of competitive production. Tomorrow's tasks do not require or justify the windfall profits of today.

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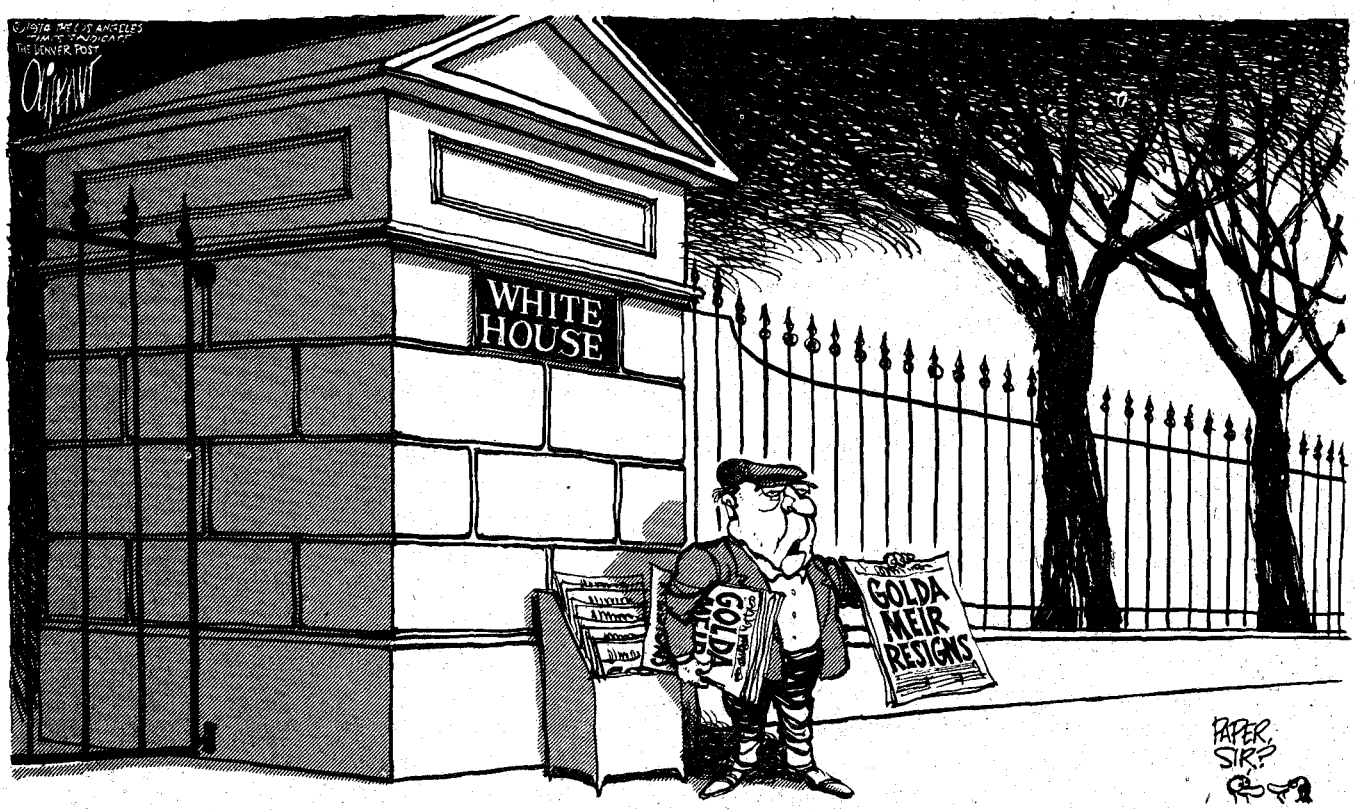
Goodbye to Golda

With Golda Meir's resignation, the incumbency of Israel's revolutionary generation comes to an end. But if the transition to a younger leadership fulfills the best hopes of those who aspire to the succession, it will reflect the soundness of what many had come to disdain as Mrs. Meir's obsessions. Within hours after the 75-year-old Prime Minister informed the parliament of her own "irrevocable" private intentions, a particularly murderous terrorist episode near the Lebanese border again revealed the inability or unwillingness of Arab governments to restrain their extremists and made more compelling Mrs. Meir's stubborn insistence on Arab political earnests and territorial margins as components of any settlement. She has been cast in the role of a hardliner. Not enough has been said of her dogged pursuit, in various capitals, of any hint of some opening to one or another of Israel's adversaries. Someone less stubborn, less intent on peace, would have found these ill-fated voyages to places as distant as the near Arctic region simply humiliating. Nor has there been sufficient recognition of the fact that the terms of the present Egyptian-Israeli disengagement were much like those Jerusalem proposed to Cairo three years ago as a first step.

The most accurate measure of Mrs. Meir's flexibility on the issue of peace, however, was her inflexibility on forming a cabinet with the right-wing parties. Even after the Russians and the Egyptians cooperated to violate the Suez cease-fire in 1970, and then in the wake of the October war, she wanted to maintain Israel's diplomatic options unencumbered by the presence of hawks in the government.

The inconclusive elections after the Yom Kippur war left her more exposed than ever—not to forces that might have formed an alternative government, but to pivotally placed restive elements within the coalition, less at odds with her than with each other. Such circumstances are common in parliamentary systems, and it was hardly unusual that an Israeli cabinet was captive of conflicting parties within it. But where once Defense Minister Dayan's participation in a government ensured its life, his presence now guaranteed its doom. The country wanted him to resign, to accept "ministerial responsibility" for the intelligence and operational failures of last October. His old soldiers expected no less of him. Mrs. Meir, too, wanted him to resign; she also had been misled by his assurances of Israel's favorable security situation. Had there just been the political threat of Dayan's Rafi wing to bolt Labor, or the maneuvers of the rabbis in the National Religious party to extract concessions from a beleaguered government for their theocratic concerns, Mrs. Meir might have tackled the Dayan challenge and overcome it. But Henry Kissinger entered the lists on Dayan's side, if not in the parliamentary wrangle, certainly in his obvious designation of Dayan as a realistic architect of compromise. Within Israel this had to appear as a great paradox: for Dayan's political strength in the populace had always derived from his no-nonsense, sometimes gratuitously intransigent attitude toward the Arabs. Dayan might have chosen to resign himself, bide his time for an almost inevitable break in the national mood, and in the meantime instruct his allies to support the leadership that had so long



"Read all about it—we should be so lucky—read all about it!"

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supported him. He did not, and the cabinet could not survive.

While it has become fashionable in some circles to speak of an emerging Jewish Sparta, the democratic character of the state could not have been more clearly shown than in this current crisis. Moreover it is largely Golda Meir's zeal for the Labor party as a tradition and as an institution that has sustained it, despite strains, as the vehicle for what the Czechs called "a socialism with a human face." Politicians, party and trade union activists, ordinary citizens often bristled under the stern maternal hand and the familial view she had of a society,which, during 50 years she had quite literally helped nurture. The ascendancy of her successes will mark the coming of age politically of the technocratic elites, but there are bound to be moments of nostalgia.

Big Brother's Back

Ron Ziegler, speaking for the President in December 1970, promised that the gathering of information on civilians by the military "will not be done under this administration." Shortly thereafter, Defense Secretary Melvin Laird issued regulations to end admittedly widespread and improper military surveillance. But Senate hearings this month reveal that in the past three years the Pentagon *has* authorized six "special operations" by military intelligence agents to plant covert informers in civilian organizations. These "deceptive penetrations and surveillances" were in addition to other Pentagon investigations.

The US Army intelligence command is carrying out nine on-post surveillance operations in the United States, employing some 29 "confidential" informers recruited among government employees to monitor dissident political activity by soldiers and civilians. The Defense Investigative Service, a new centralized organization whose principal task is to investigate backgrounds of persons requiring security clearances, has also conducted at least three probes of Pentagon civilian and military employees suspected of leaking classified information to the press in the past two years. Further, in 1972 marines from Quantico assisted civilian authorities in Prince William County, Virginia in an undercover investigation of narcotics traffic that did not involve any military personnel.

David O. Cooke, chairman of the Defense Investigative Review Council, has told the Senate constitutional rights subcommittee that the above activities are legal and necessary to protect defense property or personnel from harm or subversion. That explanation is unsatisfactory to subcommittee chairman Sam Ervin—insofar as defense surveillance involves keeping tab on personal beliefs, associations or political activities. These, says Ervin, are protected by the First Amendment. The senator demanded, but was denied, unclassified reports on the six "special operations" carried out since 1971, one of which is still going on. The military acknowledges each of the six involved a single informer; that each was undertaken after consultation with FBI or local law enforcement officials; that the organizations under scrutiny had both military and civilian members, at least some of whom were believed by the department to present "a direct threat to Defense Department property functions or the loyalty, discipline and morale of Defense Department personnel, by actively encouraging military personnel to disobey lawful orders or disrupt military activities." Surveillance ran from two weeks to two years; each required separate annual approval by the Pentagon; and no more than three special operations were undertaken in any one year.

Authority for the special operations was established in Laird's 1971 directive on "investigation of persons and organizations not affiliated with the Department of Defense." His directive left the decision on the propriety of each undercover operation entirely in the hands of high level civilian defense officials (although in certain cases a local commander could order surveillances if he felt that there was not enough time to obtain higher authority), provided that the target of the probe could be considered a "threat" to the military establishment. It is impossible to say how narrowly the Pentagon and the military intelligence agencies have interpreted this discretion to spy. No details are available. In a report last year, the Ervin subcommittee said that under the directive, military intelligence operatives could be targeted "against politically active citizens whose bent is antimilitary."

The 1971 regulations also allow military intelligence agencies to compile dossiers on civilians. A copy of each active dossier goes to a central records center, such as the army's Investigative Records Repository at Ft. Holabird in Baltimore. The dossiers are supposed to be reviewed annually and purged if the subject is no longer considered a "threat" or is no longer directly involved with or making a request of the defense establishment. However, the systematic purging of domestic intelligence files was suspended last summer. According to the Pentagon, it was halted as a result of a request from Sen. Ervin to preserve certain investigative records pending a Senate review.

Dossiers on the beliefs, associations or political activities of individuals are known as "characterizations" and may be compiled not only on persons and organizations considered "threats," but on civilians having business with the military. For example, a "characterization" may be compiled on any civilian working on a military installation, whether he is employed by the Defense Department or not. "These requests," notes an army directive, "may be for a variety of reasons [such as] admittance to installations, or for civic support, speakers, autographs, drill teams, bands

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and even escorts for festivals and homecomings."

Sen. Ervin has introduced a bill with 33 cosponsors that narrowly defines the situations in which military investigative and intelligence activities would be permitted. It provides criminal penalties for violations and allows civil suits against the military by persons believing their rights have been infringed. The Pentagon opposes the bill. A Pentagon spokesman said that under it, "military members could be charged with a crime if they are found in possession of a *Congressional Directory*" and that the bill would prevent military assistance to civil authorities in fighting fires. That, replied Ervin, "is about the most interesting thing I've read since *20,000 Leagues Under the Sea*."

Vague Justice

With the draft no longer enticing reluctant civilians into the armed forces, the military has had to butter the bread, particularly to attract professional specialists. Under one program the air force allows junior officers up to four years of "excessive leave" without pay to attend law school. Following graduation and the passing of a state or federal bar exam, the judge advocate general (JAG), the service's highest ranking lawyer, designates the officer a "judge advocate." In practice the designation has been automatic.

An exception is being made in the case of Capt. Michael T. Rose. A 1969 graduate of the Air Force Academy, Rose went to night law school at the University of Denver while assigned to Lowry Air Force Base during his first year of service. He was subsequently granted "excessive leave" to attend New York University Law School and graduated in June 1973 with a juris doctor degree and $10,300 in debt because the service paid none of his education or living expenses. He was assigned to the judge advocate's office at McGuire Air Force Base, New Jersey, where for nearly a year he has had the duties of a military lawyer, giving legal advice to servicemen, adjudicating claims and prosecuting courts-martial. Last November he passed the Pennsylvania state bar exam. All was seemingly in order, and he was unofficially notified in December by a senior JAG official in Washington that he would soon be designated a judge advocate. However, Maj. Gen. Harold R. Vague, chief of JAG, did not complete the formality, and a few days later another senior JAG official told Rose that the general had decided to "de-designate" him.

Why single out this 26-year-old captain? Gen. Vague's decision appeared to be the service's reprisal for Rose's 250-page study of the service academies' conduct, honor and ethics systems, which has recently been published by the *NYU Law Review*. Aided by a private research grant, Rose wrote a heavily documented—more than 1100 footnotes—report that was highly critical of the schools' failure to observe due process of law, military regulations and the Uniform Code of Military Justice in meting out nonjudicial punishment to cadets and midshipmen. When the study was still in galley proofs, Rose submitted a copy to the office of the Secretary of Defense. OSD's general counsel, Rose says, complimented him on his prodigious research. But Rose learned through the grapevine that the air force chief of staff was extremely displeased about the unfavorable publicity it would bring to the Air Force Academy.

After he had been invited to participate in several university and institutional seminars, Rose applied for a few days of administrative leave (at no cost to the service) but was turned down. When he subsequently applied for personal leave to be charged against his authorized 30 days a year, a senior officer "suggested" he reconsider. He did not and was granted his request; other officers at the seminars, however, were permitted administrative leave. The office of information then ordered Rose to submit in writing all the questions he *anticipated* he might be asked along with his answers and was instructed not to answer any other questions.

The air force is now planning to transfer Rose from his legal duties at McGuire Air Force Base to the base finance office in preparation for reassignment to a different base. No questions have been raised about his competence as a lawyer; he has received "exceptionally fine" ratings on each of his three officer effectiveness reports. His "offense" has been to analyze a military institution and its practices and to report his conclusions publicly. Recently, Rose says, he was "informally invited" to resign his commission and told it would be speedily approved if he did. He refused.

The Price of Loyalty

It was a weekend afternoon in 1946 when eight-year-old Bart Porter and his politically active Republican parents went to a black Baptist church to hear the young navy veteran who was campaigning against Rep. Jerry Voorhis for the House seat from California's 12th congressional district. The Porters were the only whites in the audience, and they remained after the speech to meet Dick and Pat Nixon. They talked for about an hour. Bart's father became one of Nixon's campaign chairmen in the local community, and Bart spent Saturdays and Sundays with his father, handing out Nixon campaign literature in shopping center parking lots and pasting bumper stickers on cars. When Nixon ran for reelection to the House in 1948 and for the Senate in 1950, the Porters, father and son, again worked the southern California parking lots. Later Bart Porter served as a political foot soldier in the

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successful Eisenhower-Nixon campaigns and in the Nixon run for the presidency in 1960.

After graduation from the University of Southern California, Bart served in the marine corps and was assigned to the East Coast when Nixon ran for governor of California in 1962. In 1968, although he remembers having his eyes "glued to the TV set" during the presidential campaign, Porter was more involved in building a small computer company in Phoenix. The business world was quite agreeable. In 1970 President Nixon did battle against the "radic-libs" on behalf of Republican candidates. His itinerary included Phoenix, and one of Porter's college friends, who worked in the White House, called and asked him to help "advance" the trip. The President gave a strident law-and-order speech in Phoenix that the Democrats effectively countered with Sen. Muskie's Lincolnesque face and fireside sincerity. Nixon clearly blew the Phoenix speech, but Porter had done such a good job on the travel arrangements that he was invited to Washington for a job interview. At the White House Porter worked under Herbert Klein, the director of communications, "marketing" various administration programs to the nation. After six months he went to the newly formed Committee for the Re-election of the President with a promotion to "field grade" and was put in charge of scheduling the cabinet officers, legislators and gover nors who would campaign for the President.

The planning of the Watergate break-in was done by CREEP's senior officers. Porter says he knew nothing of the plan but was assigned a small mechanical role in its execution: he was to pass money he was given by the treasurer to G. Gordon Liddy. He was told the money would be used for "dirty tricks": a term he thought meant "pranks." He was too busy getting speakers into and out of Peoria and Paducah to think much about the money until after the Watergate burglars were caught. Before he was questioned by FBI investigators, Porter was asked by Magruder to tell them that the money he had passed to Liddy was for "campaign security" rather than "dirty tricks."The argument was: "We've got to protect the President." Porter agreed and told his lie to the FBI, the grand jury and at the trial of the Watergate Seven.

When the cover-up began to unravel last spring, Porter talked to Magruder and his lawyer, James Sharp. He was misled into believing that Magruder would let him go to the prosecutor first. After Magruder told his story, Porter had nothing with which to bargain. But Porter was too small a fish for the big fire. By arrangement with the special prosecutor's office, he pleaded guilty in February to a single count of lying to the FBI. On April 11 he was given a five- to 15-month sentence. The judge suspended all but one month of it. This week Bart Porter enters the minimum security institution at Lompoc, California, where he will remain for 30 days. Compared to what a poor man who shoplifts food for his family might have received, it is a lenient sentence.

Two generations of one family worked hard to advance the political career of Richard Nixon, but if the fate of Bart Porter upset the President, no one has told Porter.

What Got Left Out

Any volume so official, so uninteresting, as House Document 93-239, published by the US Government Printing Office and containing the 13th annual report of the US Arms Control and Disarmament Agency ought to be unassailable. This one isn't. The report chronicles one year of diligent, bureaucratic research, analysis, planning and, above all, housekeeping—none of which has interfered with the ever-mounting armaments programs of the United States and the Soviet Union. It says nothing about the amputation in 1973 of the US SALT delegation, the massacre of agency and SALT officials who were taking arms control too seriously and their replacement by recruits from the Pentagon, Defense think-tanks and the military retired lists. Nothing is said about the major redirection of policy that has occurred. Arms Control Agency spokesmen are now lined up solidly with Defense Secretary Schlesinger in support of a new generation of "thinkable" and "humane" nuclear arms, which means, in effect, the production of a whole new generation of murderously refined and murderously expensive weapons.

One table disingenuously gives the impression that a recalcitrant Senate is blocking an idealistic President's desire to ratify, at last, the 1925 Geneva Protocol on chemical weapons. It is not noted that President Nixon sent the treaty to the Senate hobbled with a unique definition of chemical weapons—one excluding herbicides and riot control agents. The Senate Foreign Relations Committee, after hearings, wrote Mr. Nixon that it would approve the treaty but could not accept his restrictive definition. For three years their letter has gone unanswered.

House Document 93-239 lists *World Military Expenditures* among the Arms Control Agency's publications. But this popular annual, which describes the profligacy of nations on armaments and their penury on social services, was not published this past year. Indeed the agency's publication and education program has been shut down, but that is not noted in the report, nor that its internationally respected "Quarterly Bibliography" has been discontinued.

In one respect the 13th annual report is more candid than its predecessors. In the past there was an attempt to protect a fiction embodied in the Arms Control and Disarmament Act—that the agency's director is the President's "principal advisor" on arms control and disarmament. The 1973 report makes no such claim.

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Along Came Bumpers

Fulbright's Last Stand

Little Rock, Arkansas

The promise of a harmonious, dull campaign and the easy reelection of Sen. Fulbright to a sixth term was shattered when young, popular Gov. Dale Bumpers announced he wanted that Senate seat, now. Most political observers here had thought Bumpers, riding a wave of astonishing success in state politics since defeating segregationist Orval E. Faubus in the 1970 primary and then ousting the late Republican Winthrop Rockefeller, would seek a third term as governor. Fulbright looked grim and stonyfaced when he told reporters: "I regret that Gov. Bumpers has made this decision. . . ."

It's going to be a close race. One wealthy contractor who supported Bumpers in 1970 calls the governor's decision "a disgrace." Craig Campbell, executive secretary of the state Democratic committee, says "It's difficult for the voters when you have two very popular men opposing one another. It's disturbing to a lot of people." Even some of Bumpers' friends in his hometown of Charleston in the hill country of western Arkansas are unhappy. There isn't, after all, much difference between the two men on issues. Bumpers admits that he has agreed with Fulbright "more than I have disagreed with him." They do differ on reform of the congressional seniority system, which Bumpers views as "an aberration of the system never sanctioned by the founding fathers." Fulbright replies that the governor "just doesn't understand how Congress works. If there is anything wrong with Congress, it's not the rules, procedures or organization, but the lack of will to use these in an effective and responsible way." Calling Watergate the "umbrella issue in the nation today," Bumpers says it is time for "new blood" in the Senate. Fulbright replies that it is a "disservice" to the people of Arkansas to use the Senate as a "stepping stone" to higher office and warns of the dangers of "a man on a white horse" driven by ambition. Asked about presidential ambitions, Bumpers allows as he "would not shut the option off."

As a small-town lawyer and handsome newcomer to state politics four years ago, Bumpers had been welcomed by voters who had seen the state Democratic party split by integration under Faubus, by the defection of many Democrats to Rockefeller's moderation in 1964 and 1966, and who had tired of the endless squabbling between Republican Rockefeller and the Democratic legislature. Avoiding such controversial issues as racial integration and Rockefeller's tax programs, Bumpers ran on his personal charm, a polished style and a promise of unity. He defeated both Faubus and Rockefeller by wide margins. The irony is that the man who united the party then has now split it, and that his decision to vacate the governor's chair has brought about the reemergence in the gubernatorial contest of arch-conservative Faubus, who again is speaking on racial issues.

The talk of Bumpers as "a man on a white horse" is not discouraged by his aides. They speak of him as a person of "boundless energy who craves work," a "take-charge guy who is at home in a crowd" whether among the whittlers on the courthouse lawn in Charleston or with members of the national governors' caucus of which he is a past chairman. There's another side to the man, however. Bumpers is something of a political loner, a nonparty politician who in four years as governor has shunned control of the state party machinery—"he lets the party run itself," says one associate—and influences from the "Old Guard." Bob Brown, one of his closest aides, describes him as "a lonely warrior" who typifies that "Arkansas reticence of a mountaineer who doesn't tell all."

Bumpers is 21 years junior to the chairman of the Senate Foreign Relations Committee, whom he wants to replace. The governor was a 19-year-old marine waiting in California for duty in the Pacific when Fulbright first won a Senate seat in 1944. The aristocratic country-gentleman intellectual with an Oxford education has since had a distinguished career highlighted by his sponsorship of the international education exchange program that bears his name, by co-sponsorship of a resolution to censure the late Sen. Joseph McCarthy (R, Wisc.) and by his bitter opposition to the Vietnam war. It is a record that has commended him to liberals nationally, without antagonizing conservative Arkansas agricultural interests, which Fulbright has served energetically during his 29 years in the Senate.

With five weeks to go before the May 28 primary, Bumpers is stumping the state on the overriding issue of Watergate (a "phony issue in this race," says Fulbright). Lamenting "a nation without goals" and "the disillusionment of Americans with their political system and the alienation of the young from politics," Bumpers can be quite eloquent. People in Charleston recall that as a boy growing up in the Ozarks, Bumpers "was always doing something. Always looking for something to do. He didn't loaf around," Another voter, in her 70s, says of him: "They talk about his smile and shined shoes, but he's more than that. He's smart and he's honest. There's nobody too smart or too dumb, too rich, too poor that he'd be too busy to talk to. He's honest about it. When he talks to you, he means just what he says. All-around, just good old honest Dale." That image may prove irresistible in a year of national scandals and skepticism about incumbents.

Bill Terry

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President for Foreign Affairs

Where's Henry Now?

by Stanley Karnow

No public figure anywhere these days quite matches Henry Kissinger. He hobnobs with Brezhnev and Mao Tse-tung, moves Golda Meir to tears, evokes lyrical praise from Anwar el-Sadat, and even prompts Fidel Castro to concede begrudgingly that he is, despite his "reactionary ideas," an "intelligent man who is trying to adapt US foreign policy to present realities." At home, he has attained the stature of a folk hero. The polls call him the man Americans "most admire," and, judging from my own recent experience in the provinces, that estimate is accurate. Late last month, for example, I attended a Rotary Club dinner in Kentucky at which the featured local speaker prefaced his remarks with a toast to the Secretary of State's marriage that morning. Soon thereafter, on a flight out of Pittsburgh, a woman seated next to me spoke of "Dr. Henry" with the kind of enthusiasm that used to be lavished on movie stars. A check of 10 television stations and 10 newspapers west of the Mississippi on a random day not long ago found him to be the subject of stories on 10 nonnetwork news programs and nine out of 10 nonsyndicated editorial page items. Thus Kissinger's fame not only stretches from Peking to Paris, but, as his former White House rival John Ehrlichman would say, he "also plays in Peoria."

Yet Kissinger's unprecedented power and popularity may be transient, for a number of developments are conspiring to erode the "structure of peace" he has been striving to build since the Nixon administration came to office. His last trip to Moscow, which he optimistically anticipated would result in "concrete progress" on the further limitation of strategic weapons and other issues, failed to fulfill his expectations and thereby confirmed that détente remains an elusive objective. The Middle East conflict, which with his superb negotiating skill he succeeded in easing three months ago, is again erupting as the Israelis and Syrians resist a compromise. His relations with Western Europe are in disarray and unlikely to improve with the emergence of either a conservative or left-wing leader in the forthcoming French elections. The breakthrough to China, perhaps his most dramatic accomplishment, could be jeopardized by rising political ferment on the mainland. His ties to Japan are frayed, and his attempts to forge stronger links with Latin America have yielded little. Meanwhile these troubles are overshadowed by energy shortages, raw materials scarcities, the specter of a population explosion, and other growing economic and social problems as menacing in the long run to international stability as war. But the biggest threat to Kissinger at the moment is the prospect that the impeachment and possible removal of the President would undermine his authority, and, in the process, abort his hopes of achieving a measure of global order.

Last summer, sensing that the accumulation of Watergate scandals was driving Mr. Nixon into stormy weather, Kissinger shrewdly maneuvered to become Secretary of State so that, as he confided to a friend at the time, "I can be my own man." Since then he has labored assiduously to strengthen his autonomy and today he is, in effect, president for foreign affairs. He commands the State Department as an independent barony, permitting only a handful of loyal subordinates to share his secrets and relegating the rest to service functions. He pays enormous attention to the media, favoring a small coterie of reporters with exclusive tidbits and frequently telephoning them to complain if they even faintly tarnish his image. He expends extraordinary energy cultivating congressmen, inviting them to join his travels and briefing them in closed sessions designed to satisfy their itch to be "insiders." As the President's preoccupation with his own struggle for survival deepens, Kissinger has carefully pushed his prerogatives to the point where he shapes many decisions himself. And as John Osborne noted in these pages, he recently went out of his way to signal to Gerald Ford that he is available to stay on as Secretary of State in the event that Mr. Nixon leaves office.

Kissinger must know that this sort of game is hazardous to both the pursuit of foreign policy and to his own position. In the first place the Russians are seizing upon the administration's feebleness to press for a better bargain in their arms negotiations, and it is plausible to assume that the President's difficulties have inspired them to keep the Middle East stirred up. Hence Kissinger, for all his talent, can be no stronger than the administration he serves, and although he would like to continue at his job should Mr. Nixon collapse, that aspiration could go awry. For, as *Washington Post* diplomatic correspondent Murrey Marder has observed, a change of Chief Executives is a fundamental shift that alters relationships inside the federal establishment and almost invariably produces an interlude of policy reconsiderations as well as reassessments by foreign governments. Ford's ascendancy to the White

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House, therefore, would not automatically guarantee Kissinger firm tenure.

Four years ago, when he arrived in Washington as the President's foreign affairs adviser, Kissinger brought the idea that stability does not derive from a quest for peace but from an "equilibrium of forces" founded on an international order in which "no state is so dissatisfied that . . . it expresses its dissatisfaction in a revolutionary foreign policy." The major powers, he contended, should therefore aim to create not a Utopia assuring everlasting peace but "workable arrangements" that preserve the balance of world forces. These arrangements would be respected as long as the powers recognized them as operating to their own advantage within a framework of legitimacy. Consequently, he suggested, international disputes could be resolved if the powers agreed to settle their differences within an accepted system and not challenge the validity of the system itself.

Kissinger had originally set down this concept more than a decade earlier in his Harvard doctoral dissertation on Europe after the Napoleonic period, when Metternich and Castlereagh faced the task of reconstructing a European order that had been disrupted by the French Revolution and its aftermath. Though history never repeats itself precisely, he believed that some of the factors that had contributed to comparative international stability during the 19th century seemed relevant to the 1970s. While the Soviet Union and China still paid lip service to their revolutionary vocations, they were actually more concerned with defending their gains than embarking upon adventures that might trigger a nuclear holocaust. Neither they nor the US had allowed Vietnam to become the Serbia of World War III, and this restraint indicated that new accommodations could be built on the fear of a wider conflagration. That the Russians and Chinese were locked in a quarrel only reinforced Kissinger's leverage to deal with them.

His notion was timely in its perception that incompatible ideologies were no longer an insurmountable obstacle to coexistence. It was also innovative to the degree that it represented a significant departure from the traditional American conviction that US strategies abroad are a moral drama in which good and evil are pitted against each other. "Henry injected a sense of maturity into US foreign policy by persuading countries to live with the world as it is rather than as they think it ought to be," says one of his acolytes. One of the few foreign ambassadors in Washington who sees Kissinger regularly makes the same point somewhat differently: "As a European he doesn't suffer from the American affliction of looking for absolute solutions. He understands that some problems can merely be defused, and that ambiguity is often the best we can get —and it's worth it if it reduces the chance of war."

Spurred by a passionate impulse to breathe life into hitherto academic philosophies, Kissinger went forth during the first term of the Nixon administration to open contacts with the Chinese, elaborate the dialogue with the Russians and dispose of the Vietnam tragedy. His achievements on these fronts were notable but costly. Involving as it did the cooperation of Pakistan, the reconciliation with Peking led the administration to "tilt" against India during the South Asian war of 1972 and that posture undoubtedly influenced Indian Prime Minister Indira Gandhi's decision to sign a defense treaty with the Soviet Union. The covert nature of Kissinger's initial approaches to the Chinese shocked and alienated the Japanese, whom the President had solemnly promised to consult before any such gesture, and relations between the US and Japan have not yet recovered fully from that and other American moves. Part of the price of the first strategic arms limitation accord with the Soviet Union was the wheat giveaway, which dealt a sharp blow to the US economy. And the suspicion that the initial arms deal offered the Russians an edge that they are now exploiting in their current effort to raise the ante for a future agreement has lent weight to hawkish senators like Henry Jackson and stimulated Pentagon hardliners to propose the construction of exotic new missiles and nuclear warheads disguised as "bargaining chips" for the next round of talks.

I am inclined to the view that a Vietnam settlement could have been reached years earlier had Mr. Nixon and Kissinger conceded, as they finally did, to the presence of North Vietnamese troops in the South in exchange for Hanoi's willingness to tolerate the Nguyen Van Thieu regime in Saigon. Instead the administration went through such exercises as the invasion of Cambodia and the Christmas bombing of North Vietnam in 1972, and there is no evidence to suggest that Kissinger dissented from those hideous tactics. Judging from his support of US Ambassador to Saigon Graham Martin, who is still fighting the Red menace as it was 20 years ago, Kissinger apparently believes in holding the old line in Vietnam. Some State Department sources submit, however, that he indulges Martin out of fear that the envoy might resign and return to the US to wage a campaign blaming him for having abandoned the South Vietnamese.

In an interview with Oriana Fallaci published in these pages, Kissinger depicted himself as the lone cowboy, and the self-portrait is illuminating. It throws light on his disdain for the bureaucracy, which in his opinion hobbles his brand of creative genius, and it also accounts for his obsession with secrecy, which he regards as vital to his style. Anyone who has wandered through the labyrinthine corridors of the State Department will sympathize with his anti-bureaucratic bias, and diplomats who have been engaged in delicate negotiations concur in the need for confidentiality. But Kissinger's extreme exclusivity, which has sometimes led him to plain deception, has hurt his credibility. He

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was reportedly aware of the activities of the White House "plumbers," and some damaging evidence may emerge on that score in the impending Watergate trials or in lawsuits already filed or planned against Kissinger by Morton Halperin and two other former assistants among the 17 officials and newsmen whose telephones were tapped allegedly with his approval. During his confirmation hearings before the Senate Foreign Relations Committee last September, he pledged an "open articulation of our philosophy, our purposes and our actions." Yet he has since appeared publicly before a congressional group on only one occasion, and his disclosures at press conferences have often been less than candid. During the Middle East war last fall, for example, he told reporters that "all the members" of the National Security Council had recommended the worldwide military alert that took place on the morning of October 25 when, in fact, only he and Defense Secretary James Schlesinger were present for the key deliberation. He promised as well to "make the record available . . . and go into greater detail" on the episode, but the matter is still obscure. Moreover its murkiness was compounded at the time by contradictory explanations. Kissinger, evidently anxious to avoid irritating the Russians and jeopardizing détente, denied that it was a "missile-crisis type of situation." A day later Mr. Nixon called it "the most difficult crisis since the Cuban missile crisis of 1962."

Kissinger's clandestine manner, combined with his reluctance to delegate authority to specialists, has sometimes worked against US interests. C. Fred Bergsten, a former member of his staff, contends that Kissinger either bungled crucial economic issues because of admitted incompetence in the subject or ignored them entirely because he distrusts experts. Bergsten, now at the Brookings Institution, points to the botched textile talks with Japan and the wheat sale to the Russians as examples of Kissinger's blunders. Economic problems, Bergsten has written, "cannot be handled by superstar solos but require both political and bureaucratic consensus at home, sustained attention, and messy negotiations with a variety of leaders abroad."

According to one of his oldest academic associates, Kissinger's troubles with the Atlantic Alliance partially stem from his inability or unwillingness to make allowances for the fact that European policies are essentially formulated and implemented by civil servants rather than politicians, and that these entrenched bureaucrats cannot be overlooked as if they were employees of the State Department. The British Foreign Office and the Quai d'Orsay were miffed when Kissinger neglected to consult them adequately prior to his Atlantic Charter Speech last April, and they were again annoyed a couple of months afterward by his failure to keep them closely informed during Brezhnev's visit to the US. Later, when the Europeans refused to cooperate in the US airlift of supplies to Israel during the Middle East war and then went on to quarrel over oil, Kissinger reacted intemperately. He questioned the "legitimacy" of Europe's governments, voiced his "disgust" with the North Atlantic Treaty Organization and singled out the French as having "a high capacity to do mischief but . . . no capacity to do anything constructive." It was scarcely the sort of language he would have used against the Russians or Chinese, and it inspired the justifiable comment that he prefers totalitarian adversaries to democratic allies. To a certain extent, it seems to me, he is insensitive to the complicated processes through which democracies reach decisions, and he may feel more comfortable with Brezhnev and Chou En-lai, who act without reference to churlish congressmen and inquisitive journalists. In any case Kissinger's acrimonious exchanges with the Europeans doomed the "Year of Europe," and it will probably be some time before the transatlantic edifice can be rebuilt.

That squabble illustrated Kissinger's shortcomings as a conventional diplomat, and the rather abstract quality of his broad strategic principles raises doubts about his role as a conceptual thinker. His real aptitude is his consummate proficiency as a negotiator, and he displayed his brilliance in that realm by persuading the Israelis and Egyptians to observe a cease-fire, disengage their troops along the Suez Canal, and, for the first time in a quarter-century, begin substantive talks. Sheer physical energy is a prime Kissinger asset, demonstrated as he shuttled tirelessly around the Middle East, pulling the fine threads of the tangle together. More importantly, as a foreign official who was involved in some of the effort explains it, Kissinger demonstrated four other essential attributes of a mediator: he avoided trying to impose an American solution but sought to narrow the gap between the two sides, giving each the impression that he was protecting its interests; he separated the basic from the marginal; he kept his promises; and he was honest, the official added, because "he didn't want to run the risk of being caught cheating." In the end both Israelis and Egyptians acclaimed him. "Henry was indispensable," says the official. "Without him the situation would have remained static."

The Arab-Israeli fracas was more than a local affair, and Kissinger jumped from the Middle East to Moscow with ease. During one circuit he even flew on to Peking to keep a date with Chou En-lai. Yet the final chapter on the crisis is far from having been written. Resentful that Sadat has swung toward reliance on the US, the Russians are apparently jockeying to compensate for their loss by encouraging Syrian intransigence and mobilizing Iraq and the Palestine Liberation Organization into a new Arab bloc responsive to Moscow. With the resignation of Golda Meir, the Israeli government has come apart. The conflict could again explode, and Kissinger, aware of that possibility, is making yet another trip there this week. Even if he re-

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peats his earlier mediation success, Middle East tensions will continue. Not long ago, when a visitor asked him how the thorny Jerusalem problem might eventually be resolved, Kissinger replied: "By the time we get to that I'll no longer be Secretary of State."

Kissinger's future as Secretary of State finally depends, though, on Richard Nixon's fate and Gerald Ford's fancy. If he goes before his time is up, we shall be left with the memory of his dazzling style and speculation on what he might have done had the vagaries of domestic politics spared him. Although his ambitions are far from fulfilled, the perception that he made an impact on the world may give him a measure of satisfaction. His response to challenges was summed up some time ago in a chat we had about a mutual friend who had accepted an offer to bail out an insolvent university. I thought the friend's decision was unwise; Kissinger disagreed. "If he can solve the problem he's in great shape," he said, "and if he fails he will be known as a former college president, which isn't so bad."

The Nixon Watch

They Done Him Wrong

When the attitudes that are described in this report were expressed to me, the Republican leaders in the Senate had sent word to Mr. Nixon—typically they had not been invited to tell him in person—that he was going to be impeached if he didn't halt the delaying tactics that he had been practicing since February 25 and comply immediately and fully with the House Judiciary Committee's request for White House tapes and documents. His response had been more delay and in consequence he had become the first President to be served with a subpoena by a congressional committee. Lawyers and advisers were struggling with the problem of how to raise the $467,000 that he'd promised to pay in hitherto denied or evaded federal income taxes, the additional $100,000 or more that he's likely to be owing on last year's income, and the $225,000 installment that is due this summer on his San Clemente estate. Reports of criminal investigations involving or at least touching his two brothers, his friends Charles G. (Bebe) Rebozo and Robert Abplanalp, the lawyer and accountant who have prepared his tax returns since 1969, and his confidential secretary and executive assistant, Rose Mary Woods, contributed to an impression and atmosphere of impending ruin.

So it seemed at a distance from the President and to some extent at the middle levels and outer fringes of his White House establishment. There the inquirer encountered a meld of stolid, defensive indifference and of controlled anxiety that was indicated by such qualifying references to future possibilities as "whatever happens" and "whoever is President then." Closer to the President, among the small group of assistants who see something of him with fair frequency and spend much of their time discussing his problems with each other, the discerned atmosphere was very different during the period in review here.

It was the week when the President dashed off to the tornado-stricken city of Xenia, Ohio, so suddenly that there was no time to assemble and accommodate the usual press entourage. He flew the next day into Michigan's eighth congressional district, ostensibly to help a Republican candidate for Congress and actually to help himself with a show of gutsy confidence. He conferred at the White House with the President of Algeria and Soviet Foreign Minister Andrei Gromyko, as if to say to the world that he's still looking after it. Finally he changed his plans within an hour and flew off to his Florida home on Key Biscayne instead of, as he had intended, passing the Easter season at Camp David, the mountain retreat for Presidents near Washington. He was said to have had a good time in the sun during a kindly weekend with Mrs. Nixon, his daughter Tricia and her husband Edward Cox—and with Bebe. The President's personal doings were cloaked in even greater secrecy than they usually are during his Florida stays. The fact that his beleaguered friend and next-door neighbor, Bebe Rebozo, was around during the Nixon stay was acknowledged only in private, with sour reluctance. Rebozo was with the President and the family when they attended an Easter Sunday service at the Key Biscayne Community Church. Mr. Nixon, departing afterward, exchanged cries of "Happy Easter" with the crowd. On these trips the President often visits Robert Abplanalp's weekend home on Grand Cay in the Bahamas, a short helicopter flight from the Florida coast, whether Abplanalp is there or not. This time he didn't.

Now back to the discerned atmosphere around the President. "Discerned" is a necessary qualifier because, of course, reporters must rely upon what they are told about a milieu that they never really penetrate. The innermost White House milieu discussed here is peopled by Gen. Alexander Haig, the President's staff chief; Dean Burch, the Arizona lawyer and friend of Sen. Barry Goldwater who recently left the Federal Communications Commission chairmanship and became a White House counsellor; Bryce Harlow, a perennial assistant to Republican Presidents who has returned to the employ of Procter and Gamble in Washington but, judging from past performance, will remain in the Nixon circle; James D. St. Clair, the Boston trial lawyer who heads up the President's crew of Watergate defenders; and Press Secretary Ronald Ziegler, one of the few protégés of departed H. R. Haldeman who remain on the Nixon staff. J. Fred Buzhardt, a durable infighter, preceded St. Clair at the

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head of the Watergate legal staff and now, with the title of White House counsel, oversees the complex task of monitoring and transcribing critical tapes. He sits in on some of the inner sessions but doesn't begin to match St. Clair's influence over final policy decisions. Two lawyer-friends of the President, Kenneth Gemmill and H. Chapman Rose, have been helping without cost to him on his tax problems and join the inner council on occasion. "Chappie" Rose, a frequent unofficial counsellor to Mr. Nixon, has been involved in the search for ways to ease the President's acute money problem without drawing again upon his millionaire chums, Rebozo and Abplanalp. It is this group, varying in its composition somewhat when dealing with different problems, whose attitudes are reflected in the remainder of this account.

The attitudes that impress this inquirer more than any others are absolute confidence that Mr. Nixon will overcome and survive his difficulties and a conviction, embittered and profound, that his difficulties are mainly the work and fault of two kinds of people. There are the people—John Ehrlichman, John Mitchell, Maurice Stans, Herbert Kalmbach and his California law partner, Frank DeMarco, are among the many who come to mind and tongue in this connection—who were trusted by the President and are thought to have let him down. There also are the people, remote from and mostly unknown to Mr. Nixon, who are considered to be remorselessly and venomously committed to his destruction. The staff of the Senate Watergate Committee, the special Watergate prosecutor and his staff are in this category. John Doar, chief of the House Judiciary Committee impeachment staff, ranks high in it and his Republican counterpart, Edward Jenner, is held to be only slightly less culpable. A recent addition to the club of supposed destroyers is a Nixon appointee, Internal Revenue Commissioner Donald Alexander. His qualifications for membership illustrate the state of mind depicted here.

Frank DeMarco and the President's Los Angeles accountant, Arthur Blech ("a little man named Blech," I heard him called the other day), bear the immediate onus for the flaws in the Nixon tax returns for 1969-72 that have recently been exposed and acknowledged. The fact that Mr. Nixon personally set forth the philosophy of maximum attainable deduction that characterized these returns, in a 1969 memorandum that I have previously mentioned, is naturally overlooked. What one hears now are denunciations of DeMarco and Blech for foisting unconscionable deductions upon their client, the President, and virulent criticism of IRS officials who failed to warn Mr. Nixon that trouble lurked in his returns. When I heard this said about the IRS, I assumed that the reference was to an admittedly lax audit of the President's 1970-71 returns in May 1973. But no, the complaint went back to 1969 and it was only part of the indictment. The whole bit ran as follows. There were all these IRS types, see, who were embarrassed by the disclosure of their failure, year after year, to alert the President. Being embarrassed, they were resentful. He compounded their resentment by referring questions about his 1969-72 returns to the Joint Committee on Internal Revenue Taxation instead of to the Internal Revenue Service. With Commissioner Alexander's evident consent, the offended IRS officials determined to get that son-of-a-bitch Nixon and did so with a railroad job on his returns. Among the several items that this reading of IRS motivation overlooks are the facts that the joint committee found that the President owed considerably more in unpaid taxes than the IRS did, and that Commissioner Alexander went out of his way to say that the service found no evidence of fraud in the Nixon returns. The joint committee staff reported several indications of possible fraud and left further investigation to IRS and the House Judiciary Committee.

Hear now (in synthesis) two conversations about the President's problem with those White House tapes and the never-ceasing demands for access to them and related documents. It seems impossible (the talk at the White House goes) to lay out the dimensions of the problem so that it's understood. Nobody seems to believe that the President feels as deeply as he says he does that he has a duty to protect the presidency, not just himself, from unconstitutional invasion. But he feels this very deeply and his position on the tapes will never be understood unless this is understood. And the taping system itself! How *could* those yahoos (meaning the people who conceived and installed it) have put in an uncontrolled system? Previous Presidents, Johnson for instance, recorded conversations. It was a way to preserve history. But it was under their control. It wasn't voice-activated, for Christ's sake, picking up bits and pieces of everything. A lousy system, operated by a bunch of ex-GIs who didn't have sense enough, sometimes, to replace the tape reels when they ran out. Voices from some parts of the EOB office (the President's second office in the Executive Office Building) weren't picked up at all. It was better in the Oval Office, but it wasn't really good anywhere. Listening to the tapes now, transcribing them, is a tremendously difficult job. There are gaps. It's impossible to identify some of the voices. We aren't stalling, we really aren't, when we say it takes time. The President? Sure he knew about it, he authorized it. But he didn't get into the details, he didn't know what kind of system it was. He forgot it. He became totally oblivious to it. And that's part of the problem now.

Continuing: the Republicans on the House Judiciary Committee—what a bunch! Christ! They won't stand up for the President. They're letting the Democrats run them off to court. They're complaining that the White House, not the committee, is responsible for the delays. They're falling for the line that the number

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of tapes given up, not the facts, is the issue. John Doar is determined, absolutely determined, to get a bill of impeachment. He knows that he doesn't have the evidence to get one now, and that's why he's getting the committee to demand more and more tapes and documents. He isn't through, he'll be after more if he gets all that the committee is calling for now (a reference to the recordings of 42 conversations subpoenaed April 11). He tells the Republican members of the committee very little, practically nothing. Ed Jenner is no help. He sits in with Doar at the meetings with St. Clair. But he won't communicate separately with St. Clair or with anybody else at the White House. He's done nothing to present the White House case to the Republicans and support the White House case. So the President's people feel that they don't get through to the Republican members very well and are completely cut off from the Democrats.

Now I leave the White House talkers to their plaint and conclude with two points derived from what they say. The central point, made over and over with the utmost urgency, is that after nearly a year of investigation by the Senate Watergate Committee and two special prosecutors "nothing has been proved against the President and nothing will be proved because it can't be. The facts to prove anything against the President just are not there. The facts that are there"—meaning, in White House transcripts and other documents—"prove that he's in the clear." The second point entitles the inquirer to wonder how the senior assistant who said the foregoing could be all that sure. When Gen. Haig, St. Clair, Burch, Ziegler and one or two others discussed St. Clair's letter of April 9 to John Doar, telling him in essence that it would take a while longer to review demanded tapes and documents and decide what to give the committee, the certainty that reporters would assume that the review began on or soon after February 25 and would ask why it wasn't completed by April 9 was anticipated. Thought was given to telling the simple truth. That would have required a spokesman to say that there was no intention whatever of providing anything in response to the February 25 demand, in the form it was put, and that the laborious monitoring and transcribing of the demanded tapes began only in late March when it became apparent that Doar would submit a revised request. The group authorized the spokesman, Deputy Press Secretary Gerald Warren, to say only that the review process took a lot of time and had yet to be completed. At this writing on April 17 it is nearly but not quite completed. When it is completed Fred Buzhardt and a couple of other staff lawyers will have spent some 300 hours listening to tapes. A crew of White House secretaries, bound to secrecy and unidentified because of fear that they might be subpoenaed, will have spent many more hours transcribing the portions of the tapes that Buzhardt and his assistants consider relevant to the committee request. When this account is read, and subject in event of doubt to the President's final approval, James St. Clair will have decided what to give the committee in response to its subpoena.

John Osborne

The Once and Future Troubles

A Case of Fraud?

by Walter Pincus

Ralph G. Newman, the appraiser of President Nixon's now-disqualified, once tax-deductible $576,000 gift of vice presidential papers, has significantly changed his story of when and how the gift was made. Mr. Newman once said he initially examined part of the 1969 gift in April of that year, well *before* a July 25, 1969 legal deadline for such gifts. Today he is saying that he first viewed the papers in November 1969, well *after* the deadline. If Mr. Newman is now telling the truth, he could face prosecution for making a false statement in his sworn affidavit that accompanied Mr. Nixon's 1969 income tax returns. Newman's revised story increases the possibility that criminal fraud may have been committed.

In any case, Mr. Nixon's serious income tax worries may have only begun, rather than ending with the joint tax committee's report and the Internal Revenue Service assessment of some $467,000 in back taxes. Mr. Nixon must also concern himself, in addition to the tax fraud matter, with an IRS investigation into the use

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of Republican political campaign funds to cover what should have been personal legal expenses chargeable to the President. This new inquiry arose from facts developed during the congressional investigation and subsequently turned over to IRS. Frank DeMarco, Mr. Nixon's personal tax lawyer, told the congressional investigators that all telephone calls relating to the President's legal problems handled by DeMarco's firm were charged to a Republican National Committee credit card that had been given his partner, Herbert W. Kalmbach, in May 1969. That was two months after the Kalmbach-DeMarco firm began handling the President's legal affairs. Both Kalmbach and the Republican committee confirmed that this indeed had been done. The IRS is also looking into 1972 payments by the Committee to Re-elect the President that may have covered personal air travel not related to the political campaign, by the President's family.

Newman's changed story may explain the recent transfer of the Internal Revenue Service criminal fraud inquiry, which began last December, to Special Watergate Prosecutor Leon Jaworski's office. When IRS disqualified the gift deductions for Mr. Nixon's papers on April 9 and handed the President his back tax bill, the tax men announced that a civil fraud penalty against Mr. Nixon was not warranted. But that was far from the end of it, despite White House statements. A few days earlier, IRS Commissioner Donald Alexander had visited Special Prosecutor Jaworski and asked him to pick up the investigation. IRS agents believed a special prosecutor-run federal grand jury, which could grant immunity to prospective witnesses, such as Newman, might get important new testimony and perhaps an indictment. Jaworski was interested. He sent a memo to Attorney General William Saxbe noting that possible tax fraud on the President's returns fell within the mandate of the special prosecutor's office. Saxbe agreed and Jaworski's staff is at work on the case.

If there was fraud, there had to be willful falsification of records to show that the gift of Mr. Nixon's papers had been made before July 25, 1969—the statutory cut-off date for such a tax-deductible gift.

Two events have been cited in the past by the White House as proof that the President's papers were donated to the National Archives well before July 25. The first was that the papers went to the Archives from temporary storage areas in two executive office buildings on March 26 and 27, 1969. In an opinion letter released on December 8, 1973, Mr. Nixon's tax lawyer DeMarco stated that this move was made "at [the President's] direction. . . ." In fact, the joint committee found that the March 26 and 27 move was made at the instigation of Daniel Reed, assistant archivist for presidential libraries, who had been asked to do preliminary organization work on the papers and found there was not enough space to work in the buildings where they were housed.

The second pre-July 25 event mentioned by the White House was the supposed initial review and segregation of the 1969 gift by Mr. Newman during a trip to Washington April 6 to 8, 1969. In his affidavit of April 10, 1970 that accompanied the President's 1969 return, Mr. Newman not only attested to the valuation of the gift papers but said he had examined at least some of them from "the sixth to the eighth of April 1969." When questions about the gift were first raised by *Washington Post* reporter Nick Kotz in June 1973, Newman stuck by the story that he had made his first review and selection in April 1969. A December 8, 1973 White House press release on Mr. Nixon's taxes said Newman "designated the papers" during his April visit. The President's tax lawyer, Mr. DeMarco, with whom Newman was supposed to have collaborated, went further. He said, in an opinion released in December, that on April 6, 7 and 8, 1969 Newman had "examined and segregated from other materials" the papers that were to make up the gift. But in a January 4, 1974 letter to the IRS, Newman began to back away from his earlier story. On April 8, he wrote, "I merely visited the area where the large collection of unsorted and unorganized [Nixon] material had been placed . . . I did not segregate nor direct the segregation of the material at this time." Newman said he only satisfied himself "that one-half the collection would be sufficient for the current [1969] gift."

When the joint committee staff first interviewed the Chicago appraiser on January 7, Newman told pretty much the same story. One month later, however, the investigators returned. In the interim they had interviewed two Archives employees: Sherrod East, who had done the initial organizational work on the papers, and Mary Walton Livingston, who had worked directly with Newman. Both told stories that contradicted Newman. East said he had been with Newman most of the morning of April 8, 1969, the only time the appraiser was at the Archives during those three days. East stated categorically that Newman never went to the room where the 1969 Nixon material had been placed. Instead he spent his entire time working on the details of the appraisal of the President's $80,000 1968 gift of papers, a document that was to be included in the President's 1968 tax return filed the next week. Mrs. Livingston told an even more devastating story. She said that the papers that finally made up the 1969 gift *were not selected until March 27, 1970*, and at that time *she* had done the final choosing, using as a guide general directions on numbers of papers Newman, then in Chicago, had given her over the telephone.

Newman prefaced his second interview by stating he had reviewed his files and his activities pertaining to the 1969 Nixon gift. He was moved to do so because he knew of Sherrod East's insistence that Newman had not seen the 1969 papers in April 1969. He had not been *asked* to look at the 1969 papers in April, Newman now said. Rather, he was directed to do so by Mr.

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DeMarco on October 31, 1969, and it was not until November 3, 1969 that Newman got his first look at the Nixon papers that had been brought to the Archives in March of that year. As for the selection of what became the 1969 gift, Newman said that was not done until March 27, 1970—an admission that conformed to what Mrs. Livingston remembered.

Newman blamed his earlier misstatements on a misreading of travel records. He said that after the issue was raised in 1973, he was "led to believe" by unnamed persons in the White House that DeMarco had called him in April 1969, though in fact that call and others had taken place in October and November 1969.

Using the joint committee's findings and accepting Newman's latter recollections as true, it is possible to construct a theory of what might have happened with the presidential gift.

In early December 1968, then-President Lyndon Johnson did talk to President-elect Nixon about giving away official papers in return for a tax deduction. In all probability Nixon already knew of the practice—many politicians had benefited from it. Johnson, however, suggested Nixon hire his appraiser—Mr. Newman. It was not until December 30, however, that Newman was flown to New York to pick out what became the 1968 gift. For that 1968 gift, Mr. Nixon personally signed a chattel deed, though it required an aide to fly the document down to him in Key Biscayne, Florida. When the 1968 material was transferred to the Archives, it was accepted in writing by an employee.

Then, in early 1969, the President very likely made some general plans to turn over additional papers in return for tax deductions. A February 6, 1969 memo from White House aide John Ehrlichman to the President suggested that "we contemplate keeping the [donatable] papers as a continuing reserve [of tax deductions] which we can use from now on to supplement other gifts to add up to the 30 percent maximum," to which Mr. Nixon appended the remark "good." Although Mr. Nixon's tax attorneys maintained in their brief to the joint committee that the President "told Mr. Ehrlichman that he wished to donate in 1969 as great a volume of his pre-Presidential papers as he could treat as a deduction in that year" and subsequent years, neither Ehrlichman nor his aide, Edward Morgan, recalled any such conversation in their interviews with the joint committee staff, and no document other than the February 6 memo was turned over to the committee to back up that point.

It appears that the only early step taken on Mr. Nixon's papers was to get the Archives to put them in order. Meanwhile, responsibility for legal handling of Mr. Nixon's tax returns was being transferred from a member of the President's New York law firm to the California firm headed by Nixon fund-raiser Herbert W. Kalmbach. Mr. DeMarco was given the responsibility sometime in late March 1969 or early April. Thus Mr. Nixon's New York attorney and accountant were finishing up on the President's 1968 tax return, and a California firm was standing by to take over from then on. That being the situation, it is improbable that a gift of the magnitude of $500,000 would have been made by the new tax advisor before the old ones had completed the prior return, and before Mr. Nixon's financial prospects for 1969 had been clarified. For example the arrangements for the expensive purchase of San Clemente had not yet been formalized. Furthermore, in March 1969 there was no indication the law governing donation of papers would be changed.

During the summer of 1969, Mr. East completed organizing the papers delivered to the Archives. Then on October 31, 1969 the Senate Finance Committee reported that it had decided to cut out the practice of public figures getting tax deductions for their papers, and that such a practice should not be effective for any documents donated after January 1, 1969. On that October day, Messrs. Newman and DeMarco had what the appraiser now says was their first conversation. DeMarco has undated notes of a telephone call on the tax matters, which he says took place in April. However, the call fits the facts as they unfolded in October and November, not April. The notes indicate Newman was to go to the Archives and segregate enough material to satisfy the 1969 gift "installment." Newman was also to give a "horseback" figure on "what else is there." Furthermore DeMarco was to get Morgan at the White House to arrange for Newman to see the documents on "Monday." But if this was for the April 1969 visit, Newman already had a letter of access signed by Morgan, arranged well before Newman's arrival. No call was needed. In April also, Newman arrived at the Archives on a Tuesday, not a Monday. In November Newman had no letter of access to the Archives, and the conclusion must be that a Morgan call *was* then used to get Newman in to see the President's papers. And Newman did arrive on a Monday in November. As a result of that visit, Newman drew up on November 7, 1969 a four-page appraisal of all the material "now stored in the National Archives Building." He put the total value at slightly more than $2 million.

Two weeks later Newman returned for a four-day session, spending almost the entire time on general correspondence files totaling some 845 Archive boxes. At Newman's direction, some 17 boxes of correspondence with autographs of "very important people and foreign dignitaries" were separated from the general files to be retained, Newman told Mrs. Livingston who was working with him, "by the President." When Newman had left, no '69 gift had yet been designated.

While Newman worked on the correspondence, key White House aides belatedly took an interest in the course of the tax legislation. They tried to make certain that gifts of public papers would be permitted at least through December 31, 1969, as the House had voted. In the end they lost and the compromise date of July 25,

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1969 was approved by Congress on December 24. On that day, Newman told the joint committee, he spoke to DeMarco and was told "there was nothing more for him to do"—apparently, Newman believed, because of the new law. Newman therefore thought no gift was made in 1969, despite the earlier preparations. Archives personnel who were maintaining the papers also noted in their own internal memoranda that the tax reform act had apparently eliminated the prospect of a 1969 gift of Nixon papers.

In a March 3, 1970 letter to DeMarco, Newman noted that the President nevertheless still had deductible material under the bill: "books, trophies, plaques, artifacts and other items not covered by section 514 which relates to [the elimination of deductions for] personal papers." But something changed Newman's mind about a presidential papers gift. Who or what changed it is in dispute. DeMarco told congressional investigators he had been pushing Newman all along for a detailed description of the 1969 gift. On March 27, 1970, according to DeMarco, Newman called him and dictated the final list of gift papers, along with the final valuation of $576,000. He said Newman added he would mail the appraisal to California.

Newman now has a different story. He says DeMarco called him, told him for the *first time* that the timing of the gift had been set at March 27, 1969—the day the material had been delivered to the Archives—and that DeMarco needed a general description of a gift that was to be valued at about $500,000. Newman said he told DeMarco he would have to call the Archives for such data, and that DeMarco "authorized him to . . . advise the Archives that this material so designated constituted the President's 1969 gift." Newman then telephoned Mrs. Livingston and directed her to identify the general correspondence files and "300 to 350 additional boxes" as the 1969 gift.

Mrs. Livingston told the joint committee staff interviewers that after Newman's March 27 call, she was "disturbed and worried that a deed was being made for the year '1969.'" Newman, she said, had given her only an hour to select additional papers. In the rush she included three boxes marked "Khrushchev trip." They turned out to contain less than 1000 newspaper clippings, rather than 15,000 items worth one dollar apiece as claimed in the appraisal.

Mrs. Livingston was not the only one aware that something fishy was underway. No record could be found for *any* telephone call between DeMarco and Newman. Newman on March 27 sent Mrs. Livingston a letter "to be certain that my records correspond with yours" and added, as if he were aware that some support was needed for the contention this was a pre-July 25 gift, that he was referring to material "designated as a gift by Richard Milhous Nixon in 1969."

On April 6, 1970 Newman created two more documents that seemed to justify the legitimacy of the Nixon gift. The first was his own affidavit, which he sent to DeMarco. The second was a call to Mrs. Livingston in which he asked for a response to his March 27 letter. Mrs. Livingston told the joint committee staff that Newman said it would be better for everyone including the White House "if all dealings on this point would stay between the two of us." Mrs. Livingston thereupon drafted a response for her superior to sign.

The Archives general counsel told him not to sign it, but instead to have Mrs. Livingston sign it on her own. She did, adding at the bottom that the materials had been delivered to the Archives on March 27, 1969. That was considered sufficient for Newman.

Who put Newman up to his March 27, 1970 activities? Why did he include the April 1969 dates in his affidavit when they were untrue and not needed as part of the appraisal? And who talked Newman into going along with his incorrect story in 1973?

The truth lies in the events that took place between March 27, 1970, when the moribund gift idea was resurrected, and April 10, 1970. On the latter date, a copy of a purported deed to the 1969 gift was signed by White House aide Morgan on behalf of the President, and the President then went over his completed tax return page by page with DeMarco and Kalmbach.

What was the President's role in all this? The White House issued a carefully phrased statement the day the joint committee report was released. It said, "Any errors which may have been made in the preparation of the President's returns were made by those to whom he delegated the responsibility for preparing his returns and were made without his knowledge and without his approval." Putting the President at a distance from DeMarco, Newman et al, the statement appeared to recognize that a tax fraud case may be in the making, but that however it turned out, Mr. Nixon was an innocent victim. The affair has echoes of Watergate, from the denials to the cover-up to the collapse of the cover-up, thanks to information provided investigators by one of the participants. The President's personal actions also are reminiscent of Watergate. When the first allegations of possible impropriety were raised, Mr. Nixon apparently took no personal interest in questioning his own aides. Instead he asked lawyers outside the White House to look into the matter. In his one long public statement on the gift, he misstated the facts and implied that all he did was to make one gift of papers almost immediately after President Johnson talked to him. He even suggested the papers were more valuable than their appraisal and mistakenly said the Hiss case material was among them. Mrs. Livingston had not selected the Hiss documents because they "weren't in good shape."

While Mr. Jaworski focuses on Newman, DeMarco and others in the tax fraud matter, the House Judiciary Committee had begun looking at the joint committee material with an eye on Mr. Nixon's part. As with Watergate, one investigation leads to another.

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The Indelible Ink of Character

It has been a commonplace for a long time to say that Americans are apathetic about their government. However a recent interview with the playwright George Axelrod, printed in the *New York Post*, seems to indicate that the electorate is more responsive to what goes on in Washington than might be supposed.

Mr. Axelrod was asked by Mike Wallace why authentic American humor is dying and why the writer of comedy is a disappearing breed. "Life itself is so satirical," the playwright replied, "it's hard to satirize it. In a grotesque, horrible way, life itself has become pretty much of a joke. And you can't make a joke on a joke."

In such an atmosphere, it is not too hard to resign oneself to Richard Nixon. We have books like *The Organization Man* to testify that the complexities and contradictions of a business society are markedly erosive in their overall effect; and so liberal a publication as *The Reporter* has already become sufficiently "adjusted" to the "new" and "mature" Nixon to affirm that, "We don't see any reason why . . . he should be the object of permanent distrust."

It is going to be more and more difficult to see what a tricky and artful ellipsis the word "mature," in this instance, actually is. Yet only in dealing with a Mongoloid idiot could Mr. Nixon's past history be completely ignored. The money he accepted from California businessmen, the Checkers speech, his campaign tactics against Rep. Voorhis and Helen Gahagan Douglas and his imputations of treason against the Democrats in 1954 are too well known to be dissolved away by the silent treatment. But the word "mature" makes the unavoidable reference to this passionate pilgrimage without specifically recalling its details.

To describe the Vice President as "mature," now that he has arrived, is to convey—by an expert use of suggestion—that he was immature when he was on the way up. Thus his earlier behavior is transmuted. It becomes—not unscrupulous, treacherous and evil—but merely boyish, inexperienced and ill-judged. By a *tromp l'oeil* of vocabulary, what was actually spiritual gangsterism is scaled down to an innocuous overenthusiasm.

Similarly with the word "new" as applied to Mr. Nixon. It hums with implications. Less flattering than "mature," it conceded tacitly that the Vice President was absent from Sunday School the day they were teaching the Golden Rule and other restraining amenities. But "new" also suggests that the subject has reformed, that where he was bad, he is now good.

If the Vice President's energies are truly as monumental as the Luce publications and others in the swelling chorus say they are, then the presidency in its present form may prove too narrow for them. Mr. Nixon, as President, may wish to extend the powers of his office the way those other dark-jowled fellows—the ones in South America—so often do. The opposition—the people who think that such an executive should not overbalance the legislature and the judiciary—must then expect to get the "old" Nixon treatment. Such people will have to get what comfort they can, as they watch the mud dripping slowly down their reputable names, from reflecting that it was their own too-trustful natures that permitted the Wunderkind to get out of control. Until some absolutely unmistakable portent comes along—such as Mr. Nixon's resigning his office and going to Africa as a missionary—common sense requires the working hypothesis that he has not changed and is not going to.

To live with him as President, in full awareness of what his actions have shown him to be, will require considerable endurance. One's natural instinct will be to set up a sheltering illusion—to warm up the bleak and wintry truth by arguing that he cannot *really* be so bad. There will be a disposition to believe that merely sitting in an office with the American flag and the Great Seal of the United States has an ennobling effect. Or being the father of two. And so they do—but not on confirmed and habitual self-promoters. Forced to adjust to Mr. Nixon as Chief Executive, many people will automatically develop a sort of selective morality. They will have one set of ethics—the one they were taught as children and have been used to all their lives—for judging themselves and their friends. They will have another, and a much lower one, for the President.

At first glance, this might seem like a workable compromise; but it is not. Gresham's Law operates just as immutably in ethics as it does in economics, and cheap morals tend to drive good morals out of circulation. Morality is not just a picnic ground for prigs. On the contrary it provides the hard substratum of seriousness without which, as Mr. Axelrod points out, comedy and authentic humor wither away ("You can't make a joke on a joke"). Morality provides the fabric of trust which—to put it on the simplest level—enables the host to go into the kitchen and fix drinks in the certain knowledge that his visitors will not read the letters on the desk. Sententious as it sounds, morality provides a sense of identification with the past. "Thou shalt not bear false witness" is an indispensable part of the cultural heritage. To write it off, merely for the sake of accommodating a brash *arriviste*, is to show the idiot good nature of one who commits suicide because a taxi driver says, "Drop dead."

Margaret Halsey

The above is taken from an article that appeared in The New Republic *January 13, 1958.*

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Stanley Kauffmann on films

The Conversation

(Paramount)

The Three Musketeers

(Twentieth Century-Fox)

There's hope. There always *is* hope in the film world, of course, even when there's no immediate reason to believe it, but Francis Ford Coppola's new film is an immediate reason. Coppola, now 35, is a graduate of the UCLA film school who began his career in 1962; wrote and directed *You're A Big Boy Now* (1967) and *The Rain People* (1969); directed *Finian's Rainbow* (which I avoided); wrote the screenplay of *Patton* (1970); co-authored and directed *The Godfather* (1972). From all this—and the list is incomplete—I inferred that Coppola was a hypertypical film school graduate: a well trained executant who began with a burst of Hollywood-type integrity and soon settled into smooth oiled-rail success. Well, at least he has not completely settled into it. The juvenile profundities and the neat manufactures have at least now been very pleasantly varied by an authentic script, authentically made. *The Conversation* is not an overwhelming film, but most of the time it's interesting in several ways, and it leaves one feeling, more than anything else, respect for the man who made it.

This film has some resemblance to Haskell Wexler's *Medium Cool:* in both pictures a man who thinks of himself simply as a technician becomes aware of the power of his technology and moves out of mere efficiency into moral concern. With Wexler it was a technology of the eye—the motion-picture camera. With Coppola, it's the ear—his protagonist is a specialist in bugging, or, as they prefer to say, electronic surveillance. This man, played by Gene Hackman, is hired to bug a man and a woman walking in a crowded park, and he devises clever means of doing it. The recorded conversation seems to portend one result; then as Hackman plays the tape over and over (something like the way the photographer magnifies the picture in *Blow-Up),* he suspects an intensification of that portent; gets involved personally to stave off that portent; and finds a different though equally dreadful ending. Because his moral concern has got him personally involved in this case, he is now himself the subject of bugging. He strips his apartment to find the bug—without success—and at the end sits in the middle of his (doubly) self-created desolation, tootling on the saxophone that was the only "human" element in his make-up. The last vision is like Miró crossed the Munch.

Coppola's script stacks the deck. Hackman's character is made flavorless and monomaniacal, a man without a "personal" life even with the woman he sleeps with, a lifeless figure set up so that life can visibly invade him. And Coppola suffers from the mimetic fallacy almost as much as Terrence Malick in *Badlands:* Malick's mindless killer left a mindless hole at the core of the picture, Coppola's flavorless technician oversupplies us with flavorless episodes. Some of *The Conversation* is hung with unpregnant pauses. Hackman does what he can with it all, which is considerable, but in some of it there is simply nothing for him to do but be singleminded about taping.

The phony camaraderie at an electronics convention is laid on a bit heavily. The Kafka's-castle feeling of the office building where Hackman has to report is, again, very convenient for Coppola's theme. And the whole work operates at what can be called Level One of art. That is, it proceeds predictably with its givens. The allegory, despite the plot surprises, is thematically pat, the fulfillments are mostly fulfillments of design, not of enlargement. It's hard to imagine anyone leaving this film with the feeling that his perceptions or consciousness had in any measure been deepened.

But, within its limitations and despite its sags, *The Conversation* is satisfying. A serious subject has been treated seriously—and with extraordinary cinematic skill. Bill Butler's photography and Walter Murch's editing are very effective instruments for Coppola, and, except as noted, he has held his film firmly to the edge of his allegoric knife.

For me there is something else here of importance. *The Conversation* is still more evidence— as was *Badlands* and a dozen pictures before it—of a fascinating phenomenon. New American filmmaking of consequence is more strongly influenced by European films of the 1960s than by any other precedent. As the European films of the 1970s tend (with exceptions) to become less interesting, American films tend to become more "personal" and European in look and approach. Coppola's new film is surely the work of a man who has seen Antonioni—not just for the *Blow-Up* parallel but for the use of places as dramatis personae; who has seen Czech and Polish films of the 1960s and in them has seen men on earth seeming to float soundlessly through air, calling out voicelessly. Coppola is trying to assimilate such influence to the exploration of American experience.

The Three Musketeers is full of action, dash and slapstick, and it depressed me very much. This is Richard Lester's first picture since *The Bed Sitting Room* (1969), a picture that showed a sad lapse in Lester's judgment of scripts though not in his unique and wonderful filmic style. *The Three Musketeers* has a sounder script, but it shows an absolute abandonment of the style that made Lester Lester. Such films as *A Hard Day's Night* and *The Knack* and *How I Won the War* overflow with imaginative pyrotechnics that manage to be brilliant and helpful at the same time. *The Three Musketeers* overflows with nothing but what must in Lester's case be called conventional ebullience. It tries to render the Dumas novel as action comedy and, if memory is serving, it takes that vein somewhat further than the Douglas Fairbanks version did. Here it's not only D'Artagnan who is a somewhat overheroic hero; virtually all the other characters except Richelieu are used for laughs, one way or another. But none of it is Lester comedy, cinematic eruption. Almost all of it is script-y, devised,

(continued on page 33)

Films Worth Seeing

Badlands. Young "innocent" murderers in the '50s. Thematically hollow, excellently done.

The Exorcist. Fiendishly ugly, fiendishly clever.

The Mother and the Whore. A Parisian triangle floating in the aftermath of French revolt and French films.

The Last Detail. Jack Nicholson hot in a cool parable of the peacetime navy.

SK

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A Very Close Call

A Heartbeat Away by Richard M. Cohen and Jules Witcover

(Viking; $10)

Early in 1973 the United States Attorney for Maryland, George Beall, was investigating kickbacks in Baltimore County from engineering and architectural firms, particularly to Dale Anderson, the county executive and Democratic political boss. One engineering firm head, Lester Matz, a friend and business associate of Vice President Spiro Theodore Agnew, had received a subpoena *duces tecum* from the federal grand jury to produce all the firm's records. He consulted his lawyer, who told him that the prosecution was not after him but after higher-ups in the state or county government, advised him to tell everything he knew, and that as a result of such cooperation he would get immunity from prosecution. Similar conferences were taking place between other engineering firm heads and their attorneys throughout Baltimore County. Matz, however, said he would not cooperate. Why not, his lawyer, surprised at the response, asked him.

"Because," Matz blurted out, "I've been paying off the Vice President." The attorney, Joseph H. Kaplan, was increasingly shocked as the story unfolded. Matz had been making payments for 11 years to the man regarded by a large segment of the American people as the epitome of righteousness. The payments had gone to Agnew as an executive of Baltimore County, then as governor of Maryland, then as Vice President. Always in cash, delivered in a plain envelope to Agnew personally, they represented five percent of the fee paid the firm for its latest contract. One payment of $10,000 was made by Matz to Agnew in his office in the basement of the White House. Now Matz, deeply worried, sought by phone to reach Agnew, sure that the Vice President could halt this investigation. But the Vice President was very busy—in five days he would be inaugurated for his second term.

The political rise of Spiro Agnew, son of a Greek immigrant, was largely due to deep divisions in the Maryland Democratic party. Having risen to higher office he surrounded himself with businessmen who profited from that association and repaid him handsomely: a wine cellar in the executive mansion stocked by the choicest vintages, a remodeled kitchen in Agnew's Washington apartment, a new car, suits, even jewelry for him to give to a faithful secretary, and cash. Nevertheless Agnew was able to project an image of integrity. His stands on public issues appealed to his constitutency of "Middle America." The final ascent to the nation's second highest office came following his announced support of Richard Nixon for the presidency in 1968, and the latter's choice of him as a running mate when Gov. Agnew's repressive action against student blacks, demonstrating after Martin Luther King's assassination, showed him to be ideologically acceptable—a congeniality further enhanced by Agnew's unsparing denunciations of the "permissiveness" accorded our young people, a favorite target of both Nixon and Agnew. Another source of information for U. S. Attorney Beall was Lester Wolff, an engineer, largely engaged in road construction, whom Agnew as governor appointed to the chairmanship of the State Highway Commission. He had kept a meticulous notebook with dates, names of competing firms and of amounts received and kicked back. From another engineer, Allen Green, Agnew received a total of $50,000 and payments were made in Agnew's office in the executive office building or at Agnew's apartment in the Sheraton Park Hotel. After his election as Vice President, Agnew solicited more money from Green, pointing out that despite the higher salary, it was insufficient to take care of the social obligations of the vice presidential office. Green obliged.

By early August Agnew was officially informed that he, with others, was the object of a criminal investigation and that bombshell was exploded for the entire nation. Agnew called the charges "damned lies." He said he would never resign, even if indicted. In a counter-offensive he charged the Department of Justice with having leaked damaging information to the press. He also sought to have the House of Representatives conduct the investigation of the charges against him, a request promptly rejected by Speaker Carl Albert.

Elliot Richardson, who had succeeded Richard Kleindienst as Attorney General, now took over. He arranged with Agnew's attorneys that the Vice President would resign, would plead *nolo contendere* to one federal tax evasion charge, that the case against Agnew that the department had compiled be made public, that all other charges would be dropped and that a recommendation of no imprisonment be made to the court. United States District Judge Walter Hoffman let it be known that in the past he had always meted out jail sentences for federal income tax evasion, but that he would be influenced by the department's recommendation. He imposed a $10,000 fine on Agnew for one year's tax evasion although Agnew had during several years failed to report the kickbacks and other gifts as income.

In a final chapter of this factual, definitive narrative Cohen and Witcover ask: "Was Justice Served?" They answer it equivocally. Public opinion would say no, seeing in this massive leniency, motivated by the desire to get rid of Agnew speedily for fear that an act of God might make a felon President of the United States, a demonstration that while a poor man stealing five dollars worth of groceries to feed a hungry family would go to jail, a 10-year record of deliberate felonies was virtually condoned. A record of the kickbacks received by Agnew measured against the $10,000 fine imposed by the court would reveal the disparity between justice for the mighty and that for the lowly.

A Heartbeat Away is a complete account of the single greatest political scandal in American history: the first time a Vice President was forced from office for malfeasance. It should be required reading for the many who, noting the parallels in the performance of the two men elected to the first and second highest offices in the land, anticipate a possible similar denouement in the case of the higher official on whom judgment has not been as yet officially and legally pronounced.

Ernest Gruening

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The Rich Boys of Summer

The Bohemian Grove and Other Retreats by G. William Domhoff

(Harper & Row; $5.95)

The Greatest Men's Party on Earth by John van der Zee

(Harcourt Brace Jovanovich; $5.95)

The very rich, as F. Scott Fitzgerald observed, are different from us. They have pelf and power, exclusive schools, luxurious watering holes and above all an abiding interest in preserving the economic system that so generously rewards them. One of their favorite retreats is a 2700-acre wooded wilderness owned by the Bohemian Club of San Francisco. Here every summer, amidst towering redwoods, streams and golden meadows, they gather for two weeks of outdoor merriment. Hiking, canoeing, music and art are all part of the program, but this is not the average YMCA camp. The food is sumptuous, the liquors and cigars superb, and musical and theatrical productions sheer extravaganza.

There are two ways for the curious nonmember to approach the Bohemian Grove. One is to marvel at the lavish shenanigans of these all-male, all-white, all-rich adults. The other is to inquire into the social and economic functions of such a pompous fraternity bash. Two books published almost simultaneously cover both perspectives very competently. John van der Zee, a San Francisco novelist, penetrated the gilded grove as a waiter and provides a lively inside account of the goings-on. G. William Domhoff, a power-structure watcher in the tradition of C. Wright Mills, used secondary sources and unnamed informants to develop his argument that the unspoken but actual purpose of the Bohemian Grove is to strengthen the solidarity of the ruling class.

Domhoff, who teaches at the University of California, Santa Cruz, has been fascinated with the mores and machinations of the very rich for most of his professional life. His first book, *Who Rules America?* (1967), set forth the not entirely original thesis that America has a cohesive ruling class made up of the owners and managers of the largest corporations. Two later books—*The Higher Circles* (1970) and *Fat Cats and Democrats* (1972) purport to show precisely how the ruling class sticks together (through prep schools, debutante balls and private clubs) and how it rules (through policy councils and financial control of the two major parties). In these books, as well as in *The Bohemian Grove and Other Retreats*, Domhoff has combined serious analysis with a light, wry touch: he seems almost as bemused by ruling-class antics as he is outraged by its selfish use of power.

Van der Zee, though no theoretician, is a perceptive and fluent writer. He traces the history of the Bohemian Club back to its origin in the 1870s as a gathering place for working San Francisco newspapermen—no newspaper owners allowed—radicals and genuine bohemians; Jack London, Henry George, Mark Twain, Bret Harte, Ambrose Bierce and Frank Norris were early members. The club's perennial financial difficulties led to the admission of wealthy members who gradually took it over. The bohemian tradition lingers in the club's concern for art, politics and dramatic pageantry, and in the occasional admission of successful, right-thinking men of letters such as Allen Drury and Herman Wouk.

The club's two-week summer encampment is today the *ne plus ultra* of elitist rituals and ribaldry. The first night is devoted to the Cremation of Care, an elaborate Greco-Wagnerian ceremony in which a wooden body representing the cares of important men is tossed upon a flaming bier, releasing the celebrants to shout, sing, hug each other and dance. On later nights come two operetta-like productions called High Jinks and Low Jinks, with casts of hundreds and budgets of $20,000 to $30,000; the Little Friday Night and Big Saturday Night bashes, featuring the likes of Bing Crosby, Art Linkletter and Dan Rowan; and lakeside talks with political VIPs such as a Secretary of Defense, an important governor, and occasionally a President or aspiring President. Besides all this, there is almost continuous reveling and, for some, a bit of whoring in nearby towns.

Both Domhoff and van der Zee describe these midsummer prances entertainingly, but Domhoff's purpose is to do more than entertain: he wants to shed useful light upon the powers-that-be in America. A glance down the membership list of the Bohemian Club indicates that many of those powers are represented. We find Lucius Clay (Lehman Brothers), Rudolph Peterson (Bank of America), Lewis Lapham (Bankers Trust), Gilbert Humphrey (Hanna Mining), Stephen Bechtel (construction and engineering, one of the richest men in America), Edgar Kaiser (Kaiser Industries), John McCone (ITT, formerly CIA), Gardiner Symonds (Tenneco), David Packard (Hewlett-Packard, formerly Department of Defense), Leonard Firestone (Firestone Rubber), and many more. Domhoff's thesis is that these Bohemians are not only part of a ruling class based on wealth, but that the ruling class to which they belong is *cohesive*—*i.e.*, it has institutions for keeping its members in touch and in line. The Grove itself is one such institution; others include the exclusive metropolitan clubs (the Links, Knickerbocker and Century in New York, the Somerset in Boston, the Philadelphia, the Pacific Union in San Francisco, the California in Los Angeles) and the prestigious policy-setting groups (the Council on Foreign Relations, the Committee for Economic Development, the Business Council).

Domhoff also argues that the same institutions that promote ruling-class togetherness also help the ruling class get its way with government. Thus, on the 1970 Bohemian Grove guest list, Domhoff found the following pairings: Rudolph Peterson, president of the Bank of America, had as his guest the Secretary of the Treasury, David Kennedy; Paul Rand Dixon, chairman of the Federal Trade Commission, was the guest of oilman Edwin W. Pauley; John Ehrlichman was the guest of Leonard Firestone; Walter Hickel, Secretary of the Interior at the time and deeply involved in the Santa Barbara oil spill, was the guest of Fred L. Hartley, president of Union Oil,

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the company responsible for the spill. This does not mean, and Domhoff does not suggest, that any major conspiracies were hatched under the Bohemian redwoods. It does mean that corporate and government leaders enjoy an intimate camaraderie that must inevitably infect policy decisions.

Domhoff is not without his critics, especially among political scientists who contend that his ruling-class-*vs.*-the-rest-of-us dichotomy is a gross oversimplification. He devotes a chapter to chastizing these critics with name lists, matrices and dollops of Agnewesque rhetoric ("The pluralists' highly constricted way of studying power, which is a methodological monomania of the first order, reflects a theoretical affliction of metaphysical proportions"). Pluralists would probably respond by pointing to fissures and tensions among the very rich, perhaps citing van der Zee's observation that "the Grove represents mostly old money, family money, or the money of long established corporations and banks. It's not the new money that Richard Nixon springs from, the Abplanalps, C. Arnholt Smiths and Bebe Rebozos."

But no matter. Whatever your theoretical proclivities, reading about the Bohemian Grove is as good a way as any to exorcise Care on a winter night.

Peter Barnes

Notes on Contributors

Ernest Gruening, *former senator from Alaska, founded the* Portland *(Maine)* Evening News, *was managing editor of* The Nation *and of the* New York Evening Post. Many Battles, *his autobiography, was published by Liveright in 1973.* Jane Howard *is the author of* A Different Woman *(Dutton) and* Please Touch: A Guided Tour of the Human Potential Movement *(McGraw-Hill).* Kenneth A. Goldblatt *is a free-lance writer and photographer who lives near Washington, DC.* Peter Wolfe *teaches English at the University of Missouri, St. Louis.* Saul Maloff *is a critic and novelist whose most recent book is* Heartland *(Scribners).* Roberta Rubenstein *teaches modern fiction at American University, Washington, DC.*

Coming

Fawn M. Brodie on
the sense and sensibility
of Thomas Paine

Tenth Anniversary Edition

The Feminine Mystique
by Betty Friedan

(Norton; $8.95)

I was assigned to 8A, by the window. On the aisle, in 8B, sat a long-legged, roving-eyed businessman. I assume that's what he was, because when he wasn't flirting with the stewardess he kept fussing with graphs and charts he pulled from a fancy briefcase. Somewhere over Ohio the stewardess wheeled us our lunch, a predictably dreary one, and offered us daffodils to brighten our trays. The daffodils, to my wonder, were real. 8B, to my further wonder, didn't want his. He turned it down so vehemently that I couldn't help asking what he had against flowers.

"People might get the wrong idea," he said. "They might think I was some kind of faggot."

"Oh come on," I said. "You can't be serious." But he was. So help me.

"I wouldn't expect *you* to understand," 8B said. "I saw what book *you* were reading."

I had in fact been reading the new Tenth Anniversary Edition of that celebrated polemic *The Feminine Mystique*, whose original version sold 57,000 hardcover and 1,700,000 paperback copies, gave Betty Friedan's name the status of a surefire household word, and, more than any of the torrent of feminist documents that followed, set the women's movement in motion. The new edition has an introduction and an epilogue drawn from the piece Friedan did a year ago for *The New York Times Magazine*, in which she assessed the movement's effect on womankind in general and her own life in particular. The *Times* called her article "Up From The Kitchen Floor."

8B could not have known it, and probably wouldn't have wanted to, but his attitude illustrated one of Friedan's most recurrent points. Men, she keeps saying in her book and wherever else she crusades to "lead other women out of the wilderness," are not the enemy; they're fellow victims. They are as much entrapped by false notions of what's manly as women are by the compulsion to be, as the song has it, as soft and as sweet as a nursery.

In her hair Friedan wore not a gardenia but a smart ecumenical headband the day she went to the Vatican to trade medallions with, and try to raise the consciousness of, the Pope himself. That encounter, alas, happened too late for her epilogue, in which she explains why she's been too busy to write a sequel to *The Feminine Mystique*. It's quite some decade she's had for herself, since her first diagnosis of "the problem that has no name"—the epidemic discontent of middle-class American women whom she found, by the droves, "in the state of sexual larvae [prevented] from achieving the maturity of which they are capable."

She has picketed the White House, been subpoenaed, helped to "liberate" the Oak Room of the Plaza Hotel for women at lunchtime, talked herself hoarse from 1000 lecterns and before innumerable television cameras, and overcome her fear of flying. Not all her adventures have been upbeat. "A lot of people treated me like a leper," Friedan said when she came back from the 25th reunion of her high school class in Peoria, Illinois. "The other guy in my class who'd made good, a state senator, refused to be photographed with me. All of a sudden it wasn't convenient for my kids' cousins to play with them, either."

What had she written that so threatened Peoria? That sex and motherhood and domesticity were nice, but not everything; that shopping for things was no fit *raison d'être* for a grown-up intelligent woman; that it was nasty for an industry to scheme to give future customers "positive fur experiences"; that Sigmund Freud's equation of anatomy with destiny had been taken too seriously; that Margaret Mead was a hypocrite to preach a subservience to men she never practiced herself. Most of all, Friedan declared, women urgently needed not merely to be educated, but to make lifelong use of what they had learned.

She said all this at undue length, and with more passion than style, but her effect was and still is persuasive. "American women lately have been living much longer than men," she observed,

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"walking through their leftover lives like living dead women. Perhaps men may live longer in America when women carry more of the burden of the battle of the world, instead of being a burden themselves." She might also have quoted from a letter Jung wrote to Freud in 1909, remarking that "in America the mother is decidedly the dominant member of the family. American culture really is a bottomless abyss; the men have become a flock of sheep and the women play the ravening wolves—within the family circle, of course." Give women some access to a few other circles, the Friedan message goes, and maybe there wouldn't be so many dangerous matriarchs around, or so much wasted energy.

You might think her colleagues in sisterhood would rally to Friedan's support, in gratitude for the harsh and early light she shed on such matters, but not all of them have. The movement's momentum has been so dizzying that some feminists see Friedan as "hopelessly bourgeois," practically a Helen Hokinson caricature. She is no heroine among lesbians, nor does their cause much interest her. She hints that some among them, along with radicals who see the movement as a class struggle, may be plotting to take over the whole operation, perhaps in collusion with the CIA. They hint right back that she is a reactionary who could have carried the movement much farther than she has chosen to do. She was hissed at a conference of OWL (Older Women's Liberation), for urging her sisters to "stay reality-oriented, instead of debating clitoral versus vaginal orgasms."

Nobody's perfect. "Betty is impossible sometimes," writes the author of the autobiographical *Bella!*, "because she tends to regard herself as 'the' leader of the women's movement." It might have been a nice gesture, readers of her *Times* piece last year wrote to say, if she had shared a little of the credit with Simone de Beauvoir, and with the other cofounders of NOW (the National Organization for Women) and the strike and march on August 26. Jill Johnston's letter mentioned something about "sexual McCarthyism."

And all along there have been men, like my companion in seat 8B, who squirm at the very sight of Friedan's name. A frailer spirit, amid such eclectic crossfire, might have crumpled in defeat, but Friedan's has not. Far from it. A suburban housewife when *The Feminine Mystique* came out, she is now a Manhattan divorcée, ensconced, as she tells us in her epilogue, "high in an airy, magic tower with open sky and river and bridges to the future all around." The future she envisions, both personally and politically, will most assuredly not exclude men. However middle-class and shrill she may seem, and whatever her excesses and shortcomings, I think she's on the right track. Her book is worth rereading.

Jane Howard

Nader Tradition

Citibank
by David Leinsdorf and Donald Etra

(Grossman; $10)

Citibank, the latest Nader study group report issued by Grossman publishers, is, in the Nader tradition, a controversial and, in New York, a hotly contested book. Undertaken in the summer of 1971, the study group selected First National City Bank, New York's largest, "as a case study of intrinsic importance, because of the institution's size, leadership, and comparative significance, to highlight the need to study banks from a consumer standpoint." Under the direction of two lawyers, David Leinsdorf and Donald Etra, a battery of student researchers gathered data on the full range of bank operations and policies to produce the carefully documented report that is now one of a growing list of more than 20 titles Grossman has published in cooperation with the Nader organization over the last decade.

The relationship, in fact, was born in these pages when, in September 1964, James Ridgeway's "Car Design and Public Safety" appeared in *The New Republic*. Richard Grossman, who is acknowledged throughout the publishing industry for his ability to recognize trends, contacted Ridgeway to offer him a contract for a book on the Corvair scandal. He declined, however, saying only one man in the United States was qualified to write a major book on auto safety—Ralph Nader. The result of the Nader-Grossman collaboration, *Unsafe At Any Speed*, was the beginning of a long and profitable relationship for both organizations.

To date 24 Grossman-Nader titles have appeared in print, five others have been accepted for publication and are in various stages of production, and several more are being written.

Decisions to publish the study group reports are made on an individual basis by Grossman. Neither group sees any continuing obligation to the other, although one Nader worker cited the historical basis of the relationship, loyalty to Nader's first publisher, a good working relationship with Richard Grossman, and the obvious benefits accruing to both sides as key factors in keeping the principals together. Even so, some manuscripts have been turned down by Grossman only to have been picked up by other publishers. In fact the first Nader study group report, on the Federal Trade Commission, was rejected by Grossman because he did not feel it would make an interesting book. It later became a best seller.

That seems to have been Grossman's single mistake regarding Nader publications. Two of the titles he published approached a half million in sales, and every Nader title has sooner or later shown a profit for its publisher. A spokesman for the publishing house characterized Nader-book sales as "healthy . . . considerably above our average sales in other fields."

Of the 30 to 60 volumes published each year by Grossman, 25 percent are Nader books. They also hold the same rank in the company's sales figures. Paperback sales have been the key factor in pushing study group reports into the black. All have sold well to institutions, and some have been adopted as college textbooks.

To ensure the continuing strength of its Nader publications, Grossman is developing new marketing techniques designed to boost exposure and sales. These include a list of publications and individuals whose interest in consumerism will ensure positive reviews and significant media interviews. They are also refining their use of advertising, especially in specialty markets. Thus *Citibank* has been or will be advertised in *The American Banker*, *The New York Times* and *Banking Magazine*.

The Grossman marketing department is also attempting to define other specialty audiences for *Citibank*. Although mail order business "is a market we've only recently discovered," according to a department spokesman, special mail-

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ings to lawyers and academicians are being prepared. They may be followed by additional contacts with the real estate, insurance and bank-investment communities.

Such efforts can only help *Citibank*'s already vigorous sale, sparked by the controversy it ignited. Its first draft, released in June 1971, evoked an immediate response from Citibank Chairman Walter Wriston. Since then, charges have been hurled back and forth, with Wriston complaining in an unprecedented 37-page release distributed to book editors and reviewers that "The study group was determined to hang us, despite no evidence of guilt." On another point Wriston chided, "The study group is now speculating baselessly instead of accusing falsely. From our standpoint that is no improvement."

So far the exchanges seem only to have expanded the conflict, generating more heat and smoke than light. Although a detailed analysis of the charges and countercharges is impossible, two examples may delineate the nature of the disagreements.

Wriston charges that "The Nader group will no doubt respond by complaining, as it has so often done, about our 'failure to cooperate.' After publication of the first study group report, we did, indeed, decline to spend additional time with Mr. Nader's associates in further discussions . . . But we did so because the first report largely ignored the vast store of information provided to the study group through interviews that lasted hundreds of hours and cost the bank many thousands of dollars."

According to the study group, on the other hand, only about 50 of Citibank's 37,000 employees were interviewed—and those only within the corporate offices under circumstances that could hardly be expected to inspire candor. After the release of the initial report, Wriston issued a memorandum specifically forbidding further communication with the study group by *any* Citibank employees.

Wriston's second claim, that Citibank's refusal to make significant amounts of its corporate information available springs from two suppositions: that Citibank is already required to report regularly to state and federal bank regulatory agencies (which also adamantly refuse to release the information); thus, according to Wriston, the study group's quarrel is not with the bank but with government agencies. The statement ignores the study group's assertion that the agencies in question have abdicated their responsibilities to the American consumer and that, in at least one instance, they are not even performing their legally required functions.

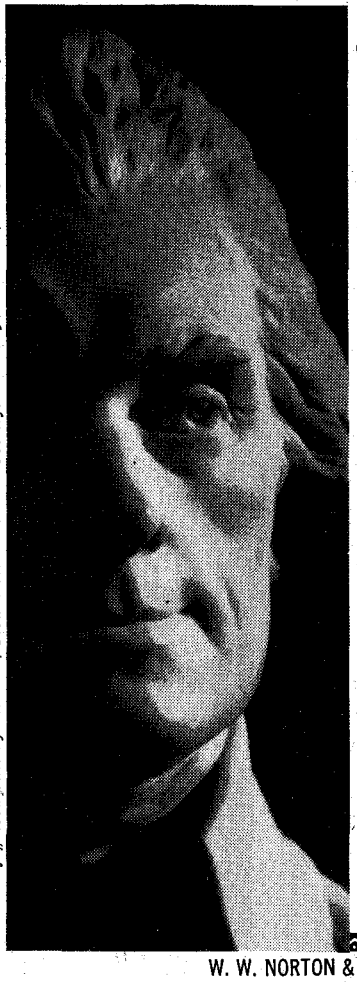
At the same time Wriston argues that the information sought by the study group is valued by Citibank's competitors. This assertion ignores the fact that other banks have released the same information and that their officers specifically reject his claim.

Throughout the book there are hints that the study group's research tactics may have been less than gentle. Possibly owing to the Citibankers' consistently passive resistance to the group's inquiries, temper and intemperance occasionally show through the taut fabric of the narrative. In more than one of the interview transcript fragments reproduced in the report, interviewers' dogged questioning and the bankers' oblique responses clearly delineate the attitudes on either side.

These continuing arguments over apples and oranges underlie perhaps the most important point made by the study—that corporate secrecy in general may be the most serious problem to be faced in controlling what the study group calls "galloping corporate concentration." In fact the arrogance chiefly responsible for the maintenance of such secrecy materialized in an interview between a study group editor and a Citibanker. In response to the editor's question of how the public can ever know about the legality and responsibility of bank actions without sufficient disclosure, the Citibanker replied, "They will just have to take the bank's word for it."

Obviously the study group has consistently refused to do just that. Instead they assert "the process of devising feasible and equitable means of financing the credit starved sectors of the society must start by piercing the veil of secrecy that presently surrounds the activities of commercial banks. This report is a step in that direction."

The determination of the validity of their charges against Citibank and the rest of the financial community will, of course, have to be established elsewhere. It is perhaps unfortunate that the study group's attempt to chronicle every abuse of Citibank has led to such a broad discussion that minor condemnations receive as much attention as much more important ones. For instance the discussion of the misleading nature of credit card receipt forms seems hardly as important as the bank's



Thomas Jefferson bust by Houdon, New-York Historical Society. Photo by Nina Leen, © 1964-1972 Time, Inc.

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alleged stock market manipulations, bond and investment credit abuses, conflicts of interest and discriminatory loan policies.

Nor are its possibly sexist and racist employment policies—which Citibank and business establishments throughout the country are reluctantly remedying, and in which Citibank is an acknowledged leader—as significant perhaps as the abdication of its broad social responsibilities under the guise of producing dividends for bank stockholders, or its possible abuses of boards of directors interlocks with companies to which the bank loans massive amounts of money or in which it holds large amounts of stock or investments.

The study group has made specific allegations against Citibank, the banking industry and the government agencies charged with regulation and control. It has also enumerated a substantial number of recommendations based on these charges.

The problem, unfortunately, is that the study group's recommendations, eminently reasonable though they may be, are likely to be ignored by a society so geared to crisis and confrontation that it has ceased to pay attention to the reasonable while it strives to deal with the nonnegotiable demands and abuses of rule and reason that have become the order of the day.

But in raising significant questions about the responsible use of the fantastic economic power under Citibank's control, the Nader group has unveiled some frightening implications of the impotence of government agencies charged to control a business community of seemingly omnipotent fiscal power. The question then remains, if the designated government bodies cannot, who—or what—can?

Kenneth A. Goldblatt

Recent, Notable Fiction

Christmas Eve by Maeve Brennan

(Scribner's; $7.95)

Passion and Affect by Laurie Colwin

(Viking; $6.95)

The authors of *Christmas Eve* and *Passion and Affect*, two new short story collections, have both published in *The New Yorker*; both use New York City as a setting.

The first group of stories in *Christmas Eve* takes place at Herbert's Retreat, "a snug community of forty or more houses that cluster together on the east bank of the Hudson about thirty miles above New York City." The residents of this select community abide by social restrictions "as steely as they are vague." Style helps drive home their loveless primitive morality. A cocksure literary critic from the city, who spends weekends at the retreat, has a bedroom "sacred to," rather than reserved or held for, him. The snobs we first envy and then pity lead lives as slavishly ritualized as those of cavemen.

They want to belong. In Herbert's Retreat that means being accepted socially. Alienation, or not-belonging, the great threat, means being laughed at or excluded. Community values include, obviously, birth, job, longevity in the retreat. Also the age (more than the size) of your home, the quality (shape, color, fullness) of your lawn, and, most of all, your view of the river. "The View from the Kitchen," discussing the homes in the retreat, makes a distinction that seems trivial for a moment: "They [the homes] all eye the river. This does not mean that they face the river." Facing surpasses eyeing. Thus a local widow marries her neighbor, a *declassé* credit manager, for his view; then she ignores him. Brennan's flat, low-pulsed sentences are full of threat:

> *All the people who live at Herbert's Retreat own their own houses . . . The general atmosphere of the place is one of benevolent freedom. The life there is casual and informal, but gracious. A good deal of quiet entertaining is done. All the residents know each other very well or fairly well. There are no strangers. Living there is rather like living in a club.*

The threat erupts most often as revenge—revenge performed by a have-not or outsider. A matronly socialite, preening herself on her beauty and generosity, gets her come-uppance when a beggar, offered a Christmas meal in her kitchen, leaves his reeking cigar butt in her dessert sauce before slipping from her home. (Charity to the poor also recoils on the rich and powerful in two other stories.)

Brennan's moral sympathy for the have-not, her Kiplingesque passion for revenge stop just short of overt moralizing. Interest in her work comes from the witty characters; the balanced, tactile style; the charming, yet irritating, society Brennan criticizes while she describes. But weak plotting undermines much of the interest. A clomping Irish maid gets caught stealing a hot-water bottle from the bed of a sleeping guest ("What is the meaning of this?" asks the guest, a stiff, proper English widow. "I awoke from a sound sleep to find this woman clutching my foot"). A man accidentally locks himself out of his hotel room while filching his next-door-neighbor's newspaper. This mixture of sophisticated characters and gimcrack plotting is like finding Henry James' people in a script written for the Keystone Cops.

Another group of stories, set in the Irish harbor town of Wexford, frees its characters from the rigors of a formal plot. Not-having in the Wexford stories infects those trapped by age, genteel poverty, and outdated ideas about family and society. These dim, threadbare lives provide suggestions of the process by which longstanding and deeply felt human ties—a 40-year marriage or the relationship between an elderly widower, wandering and feeble in mind, and his spinster sister—weaken yet persist. But the slow, sagging rhythm of breakdown, lacking in definition, does not test Brennan's best energies. The Wexford stories forfeit too much by bypassing dialogue, humor, action and character development.

Laurie Colwin's people in *Passion and Affect* also are tired and whipped—but not by poverty or age. Well-educated and middle-class, they would go to Ireland (skipping Wexford) only on a fellowship or a vacation, and they lack the cash to live in exclusive Herbert's Retreat. Their fatigue is a function of their

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emotional style; they love intensely, they speak their deepest feelings, and unrequited love can addle their hearts for months. The title of the book's opening story, "Animal Behavior," foreshadows Colwin's treatment of sexual stress. She darts into remote, highly sensitized corners of the human psyche without explaining what goes on there. Like the other animals, man can enjoy sexual love, but he cannot understand or control it; nobody learns from loving. It strengthens and comforts some; others are wiped out by its sharp, aching joys. A man in "Wet" breaks down because his wife has a need—to swim every day, regardless of weather—he can never share: "What had grieved him was simply a fact: every day of her life she would be at some point damp, then drying, and for one solid time, wet." The main currents of *Passion and Affect* are psychological, not satiric. Personality neither flattens nor falls into patterns. Rather, the reverse applies: the more Colwin says about her groping, decent people, the more she prods our imaginations.

Another imaginative enticement comes from her bright, figured prose. As in Muriel Spark, her short, terse paragraphs transmit sharp-cut images and bright little rips of meaning. Instead of saying that a man loved his children, Colwin registers his love as a physical sensation: "He felt that they lived in his heart. At times . . . he felt his life was filled with a loveliness so intense he wondered how he could contain it." The frustration of a teenaged piano student ordered to stop studying with a teacher she loves and respects reaches us in the same first-hand way: "My throat felt shrivelled and hot."

Though saying nothing new about human sexuality, Laurie Colwin writes with unobtrusive skill, insight, and touching moral passion. Both she and Maeve Brennan are artists; they have something to say and know how to say it. Both have written books that strengthen and refresh.

Peter Wolfe

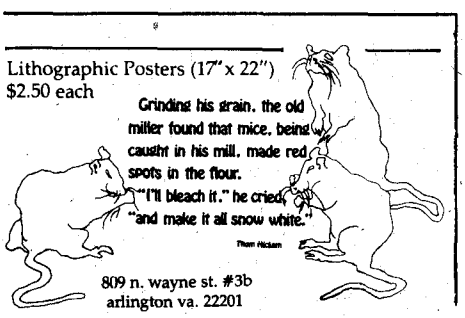
The Sightseer
by Geoffrey Wolff

(Random House; $6.95)

The protagonist-narrator of Geoffrey Wolff's novel is a sightseer in the trick sense of traveler and gawker, the clown with the camera round his neck; and a sightseer in the more central sense of cameraman and filmmaker. Caleb Sharrow is an artist now past his brilliant apprenticeship and primed for a full work of art, his first feature-length movie. But he is not simply a man with a loaded camera seeking to catch out and frame the world. A highly self-conscious artist, he is also a theorist of art. Moreover, as the seer-speaker of the fastidiously written book—and indeed as the keeper of a journal who discovers that writing is his chief pleasure—Sharrow is the author of this parable of art, the quest for art, the penalties exacted by art.

As such, *The Sightseer* stands within an old tradition that has been filled, not with moviemakers of course, but with alchemists and poets, philosophers and necromancers. And the esthetic that grounds it, gives it its organizing principle, by which it is judged, is put boldly as counterpoint to the narrative, providing a thematic weight.

Sharrow, we are told, has established himself with two documentaries, "Death Watch" and "Strike City." The site of the latter, so named, is a commune of striking black farmworkers in Mississippi, where his twin brother, and foil, lives for a time in support of the strike. Although he will manage to get a (successful) book out of Strike City (his published journal), Noel is passionately committed; Caleb, the sightseer, gets pretty pictures out of it, a craftily composed film, clever stuff for the arthouses, answerable only to its own esthetic. The debate between the brothers is as old as art itself: Art vs. Reality, Beauty vs. Truth, Imagination vs. Facts, and so on. If the issue seems a false one, which is to say an academic one fit only for seminarians to try their dialectical skills on and long resolved both in theory and practice, Caleb, the brightest, nastiest seminarian of them all, behaves as if it were invented by his graduating class; by, in fact, himself. On balance, he hasn't much use for "reality," the "poverty of true life," a treacherous, sleazy, shifty doxie; the thing is to "outbid reality, outflank history by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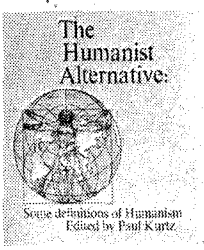

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finding the metaphor in a ruined dream . . . and raise up a work of art." A posturing affected prig—a *Vermont* esthete! —he is much given to posh palaver. Black is not a condition of servitude; it's a color "value" capable of yielding up some striking visual effects. With petulant defiance he gives the Formalist position, its extreme statement: his film isn't "about" anything; it's a "fifteen-minute, sixteen-millimeter, sound-sync movie, color by Ektacolor." Unlike his brother, a sentimentalist and "amateur humanist," Caleb is, by his own description, a "professional artist."

If this isn't depressing enough a portrait of the artist as sonofabitch, we are enrolled in a complete short course in moviemaking expertly taught, meticulous, finely detailed, imaginatively executed—the subject of "Death Watch" being the auteur's blind old father in the awful, withering throes of irreversible gangrenous rot. His father's agony is a subject nearly worthy of his great gifts. Throughout the making of the film Sharrow's good eye steadily seeks out the perfect angle, the most revealing light, the subtlest metaphor in the ruined dream. "You'd blow up the world to film its end. Wouldn't you?" his outraged brother asks. Caleb replies "gently": "No, but if it were coming to an end, I'd like to spend my last few seconds shooting the event, and imposing some sense and beauty on it."

Thus armed Caleb sets sail for Byzantium with loaded cameras to see what he can film to shoot his way through the confusion of life into the clarity of art and at its heart to find the subject that awaits him there. Prodigal nature does his bidding, providing lovely cinematic, panavision effects: tremendous Tyrolean ski-runs climaxed by an avalanche, a car-crash on a scenic mountain pass, the capsizing and grounding of a boat, the passage of the Orient Express from Vienna to Istanbul, all a sightseer's banquet.

The cast of characters is equally exotic, shootable, mostly Turkish. Caleb is bewitched by mysterious, sulpherous Veilah, all the more irresistible for the mote in her eye; alarmed by her brother, the sinister, pockmarked Nazim, fatally attracted not only to his requiting sister but even more to criminal psychopaths; their morally leprous mother, no less royal for being a fake princess; and involved against his will with Mr. Bright, whose cover as cultural chargé d'affaires at the American Embassy ill conceals his more lethal functions.

Mr. Bright provides the climactic occasion by hiring Caleb to make a wholesome little film celebrating the American Way for the edification of the Turkish masses—a no-nonsense film grounded in what might be called the esthetics of imperialist realism. Caleb sells out—but only apparently; while shooting Bright's film, he's making his own on the sly—*the* film, a merciless study in depravity, lechery, tyranny, the corruptions of egotism and power, murder and mayhem, chaos and dark night. Or so we are told.

Now, on the surface, all this seems a perverse, rather silly exercise of the imagination, melodramatic invention flogged and run amok. But *The Sightseer* aspires to be better than that. Wolff is a gifted, intelligent, serious writer, an admirable scene-painter usually in command of a supple if excessive prose. *The Sightseer* is an interesting conception which finally victimizes him, propelling the narrative from one outlandish element to the next until it collapses beneath sodden weight. Events are willed to occur, mere notions, conveniences: without compelling cause or consequence Noel, a Quaker, enters a monastery; out of nowhere, into nowhere, Caleb experiences a breakdown (well, he witnesses the incestuous siblings kissing, if that can be considered *some*where); and so on. Prose turns slowly, first this way, then that, doting on itself, commanding our admiration. It is as though Caleb Sharrow, not Geoffrey Wolff, the talented author of *Bad Debts*, had usurped and corrupted the novel with his interminable nattering.

Saul Maloff

A Question of Power by Bessie Head

(Pantheon; $6.95)

The topography of madness has become more familiar in recent years, charted by writers like Doris Lessing, R. D. Laing, Joanna Greenburg, Ken Kesey and others. If one unconsciously thinks of schizophrenia as a unique product of Western culture, it is startling to discover in *A Question of Power*, by the South African novelist Bessie Head, a profound enlargement of the geographical as well as the symbolic regions of madness.

The novel's central character, Elizabeth, is not only of mixed blood (like the author, she is classified as Coloured in the dehumanizing terminology of apartheid) but of mixed cultural background (her mother was English, her father African). To these schisms in identity Elizabeth adds statelessness, by leaving South Africa for Botswana after a dead-end marriage to a sexual profligate. Moreover, she is an orphan, raised by a foster mother but not told of her true parentage until she was 13; her real mother committed suicide in an insane asylum when Elizabeth was six. These facts are interpolated with the madness that she has already entered at the outset of the novel.

Trying to leave her past behind, Elizabeth starts a new life as a schoolteacher in Motabeng, Botswana; but her "loose-knit ambiguous personality" is further isolated by her early realization that nearly everyone in the village is related, while she is an outsider whose skin color sets her apart even further. After three months, her sanity begins to go: presences in the dark of her room at night coalesce into the projections of madness. During three years of periodic insanity and hospitalization the projections multiply, confronting Elizabeth in

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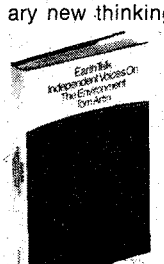

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tortuous visions with her own evil nature: spiritual poverty, lack of compassion, dislike of Africans, hidden sexuality, pride, racial impurity.

Translating the symbolism of madness, one understands these aspects of Elizabeth's guilt and self-hatred as products of her acute isolation, inversions of the way she thinks others must see her. The most important of the phantom figures are a monk-like presence named Sello—who resembles a villager Elizabeth knows only by sight—and Medusa—a hallucination representing the destructive side of her own nature. In the course of her insanity another figure of pure evil named Dan appears, and seizes power not only over Elizabeth but over her other hallucinations; by the end, Sello and Dan battle for Elizabeth's soul, driving her to the brink of suicide.

The "question of power" is the many-leveled issue of the novel, expanded to include both internal and external dimensions. Elizabeth's dissociated personality first reveals the idea of "soul power"—in which specters of her own psyche dramatize her lack of personal identity, as well as her spiritual and emotional paralysis. That powerlessness in turn symbolizes the non-white South African's political and social situation; during a sane interlude Elizabeth tells a Danish acquaintance, "One would go stark, raving mad if a deep and endless endurance of suffering, such as one could encounter in Southern Africa, were really brought to the surface."

Another dimension of power is sexuality, and again its implications are both personal and political. Elizabeth is tortured by hallucinations of obscene and perverse sexuality, stage-managed by Dan, who suggests not only the profligate husband she left behind but the depravity of uncontrolled lust—the reverse side of her own frigidity. In a more lucid moment, Elizabeth recalls her Coloured male counterparts in South Africa (including her husband) who turned to homosexuality because "How can a man be a man when he is called boy?" Private repression and public oppression are shown to be parallel aspects of thwarted power.

The novel is not exclusively internal narrative. Elizabeth's madness runs a rhythmic course; in the juxtaposed incidents of her external life one watches another kind of drama unfolding. After being fired as a schoolteacher for unacceptable behavior (a consequence of her periodic insanity), she joins a co-operative farm organized by foreign nationals. Through her association with its members, particularly an American named Tom—who becomes the "symbol of male nobility" to measure against her inner chaos—Elizabeth develops a new kind of relatedness, both to other people and to the land. The most important kind of power implied in the novel is, finally, the power of the human spirit to overcome its own movement toward annihilation. Through her involvement with the co-op, Elizabeth comes to experience love, sharing and community. Significantly, the Sello of her madness is also the mythical Osiris of ancient fertility rites; Elizabeth's regeneration is partly achieved through her absorption in vegetable farming, suggesting her transformation from sterility and alienation to a sense of belonging and mutual achievement. Her internal battle ceases when she at last exorcises the negative "powers" within, and finds in their place that "There is only one God and his name is Man."

Extending the landscape of madness, then, Bessie Head has imaginatively shown its central relationship to powerlessness (suggesting either an affinity with or indebtedness to Adlerian psychology). Madness describes not only the private state of individual breakdown but the public state of social breakdown—in which skin color and origin deprive entire groups of their full identities. Statelessness is the political counterpart of psychic alienation, just as oppression and racism are the public sources of self-hatred. The policy of apartheid is, symbolically, the larger form of Elizabeth's condition: as a Coloured alien, she is cut off from both white and black, both tribal and Western identities.

A Question of Power succeeds as an intense, even mythic, dramatization of the mind's struggle for autonomy and as a symbolic protest against the political realities of South Africa. Bessie Head skillfully involves the reader in the immediacy and terror of Elizabeth's confrontations with her demons. Yet the rhythmic alternation with her progress in the village provides an almost pastoral balance to the Dostoevskian intensity of the mad episodes. The result is a work of striking virtuosity—an artistically shaped descent into the linked hells of madness and oppression, and a resolution that provides the hope of both internal and external reconciliation.

Roberta Rubenstein

FROM AEI . . .

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Ralph K. Winter, Jr.

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Black publishing, black soldiers, etc.

Doris Grumbach

In this day it is somewhat of a miracle if a university decides to go into the publishing business, the recent discouraging history of such ventures being what it is. But Howard University seems to have both courage and the willingness to go into the red, at least for a while, in order to back a venture that will, among other things, provide an outlet for black writers, for the literature and texts of the third world, and for general publishing: "We hope for the widest possible readership for our publications," said the president of the 107-year-old university, Charles F. Harris, at a press conference recently. The **Howard University Press** will begin its venture with 24 books the first year and aim at about 40 each year after that. Thirty-one authors are now under contract to Howard, which hopes to enter the field of periodical publishing as well.

I have seen galleys of one of their first titles, **An Anthology of Asian-American Writers,** with the intriguing title, **Aiiieeeee!,** which the four Japanese and Chinese-American editors say is "more than a whine, shout or scream. This is fifty years of our whole voice." They add that "in the 140-year history of Asia America, fewer than 10 works of fiction and poetry have been published by American-born Chinese, Japanese and Filipino writers." This anthology introduces the short stories and plays of 17 of this neglected group of writers, and seems a worthy way for this press to begin what John Putnam, president of the Association of American University Presses, called the courageous launching of a "new imprint in parlous days."

The arrival at my desk of galleys of **The Unknown Soldiers** by Arthur E. Barbeau and Florette Henri, to be published in mid-June by Temple, reminded me of the number of books appearing in the last year on the subject of black soldiery in America's wars. There was, of course, the seminal book on this subject, Thomas Wentworth Higginson's **Army Life in a Black Regiment,** first published in 1869 and republished many times since, most recently by Macmillan; Grosset & Dunlap; Corner House; Michigan State University Press; Beacon. The book I've mentioned will concern itself with "the shameful record" of American treatment of black soldiers who were victims of discriminatory draft, training, assignment and leadership policies, but whose performance despite all disgraceful official attitudes was commendable.

Blacks in America's Wars (Monad; $5) by Robert W. Mullen appeared earlier this year, a forthright declaration that the attitude of blacks toward defending their country greatly changed from that toward their participation in the Revolution (hidden history), the Civil War, even World War I when they hoped that their heroism would help their cause at home, to the Vietnam war when there was strong opposition to the war among blacks who no longer felt they had to die abroad to provide the chance for a decent life for others at home. This small, angry (justifiably so) book has an excellent bibliography.

Then there was the very elegantly produced (by Norton, now unfortunately out of print) life of Higginson, **Colonel of the Black Regiment** by Howard N. Meyer, which I read recently—a fascinating recounting of Higginson's life (among other things) as commander of the First South Carolina Volunteers, and his tribute to his freed-slave soldiers and their extraordinary heroism.

And finally there is Liveright's recent reprint ($3.95 paper) of an enduring collection of essays, **The Black Military Experience in the American West,** edited by John M. Carroll. First published in 1971 the volume covers three periods of the experiences of these "black troopers": pre-1866, 1866-1900 and post-1900. Beginning with the Zuñi legend of Estavan, the black conquistador who died in 1539, and recounting chronologically the American-West history of blacks with Lewis and Clark, with the 25th US Infantry, on the frontier, the Sioux campaign of 1890, and concluding with the Yaqui Indian fight with the Negro Troop E of the 10th Cavalry (1918), this volume is lavishly illustrated, with drawings by Frederick Remington, José Cisneros and others; it is an important corrective to clichés about black soldiers. For the collection makes painfully clear, with ample evidence from voluminous sources and authorities, that early obedient, loyal blacks who "gave freely of [their] loyalty and faithfulness" slowly changed. Their servility gave way to individualism. Acceptance of their state turned (even in the early years of the century that this chronicles) to resentment "because they found their color a barrier to advancement and reward." Here, well exposed, are the roots of the discontent that was to blossom and then explode in Vietnam.

More contributions from our irrepressible reader-at-large, RB (herewith identified as Regina Barnes, who will return to her initial state after this week):

Samual Pepys (**Young Mr. Pepys** by John Hearsey, Scribner's; $7.95), equal to or surpassing such fellow diarists as John Evelyn, Fanny Burney or John Quincy Adams, has also been designated by some historians as "the most useful British minister who ever filled his position" and the founder of that country's civil service. His diaries, correspondence, naval history, collection of broadside ballads, tracts on popish plots, news pamphlets, make up 50 volumes of manuscript that are still highly prized possessions of Magdalene College, Cambridge.

Present readers encounter this most uncommon man through Hearsey's research, or through the words of the diary itself, and find an illuminating portrait of the Restoration, the humdrum juxtaposed with the calamitous. We see the shameless indulgences of the court, the wasteful battles with Holland, the devastating plague of 1665, the great London fire of 1666, along with the pleasures of the mind and flesh.

In Pepys' diary there is style since there is a man. Humbly born, Cambridge-educated, he held many remunerative public offices, including that of Secretary of the Admiralty. He served his country energetically and albeit so profitably that at one vexatious time he and his colleagues faced impeachment. Pepys defended them all successfully, although he alone among them pursued his duties with meticulous care, taking only those "persuasions" that were considered the normal perquisites of the office.

All of this would be of passing interest were it not for the diary, kept in shorthand or fractured foreign languages. The six volumes, written between 1660 and 1669 in the privacy of his room and not intended for publication, were

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designed to note his experiences rather than to communicate them, to establish order out of daily fragments. Decoded in 1825, the diary was immediately acclaimed one of the lasting works of the 17th century; it was said that no deliberate opus was likely to surpass this involuntary work of art.

Samuel Pepys was a man of infinite curiosity, passionate interest in the arts, indefatigable zeal in government, relentless addiction to gossip and unceasing appetite for food, silks and wenching. Hearsey's book should be read by anyone interested in the Restoration, but it will also intrigue the literary voyeur amused by a man with a thirst for truth, a ceaseless wonder at life.

Sol Stein is, perhaps, the only successful American publisher (Stein and Day), who is also a successful novelist. His two previous works of fiction, *The Husband* and *The Magician*, contained real people contending with gripping problems. In the latter, Stein slashingly fictionalized the brutality, apathy and corruption characteristic of many phases of education and the legal process. **Living Room** (Arbor House; $7.95) presents, with brio, the questions raised by women's liberation and its aftereffects upon feminists. If women achieve the same success, economically and politically, as men do, what kind of problems will they cope with in middle age? How can they reconcile driving competitiveness with the longing to avoid gut loneliness and achieve tender love? These questions may sound frothy but it is to Stein's credit that their exploration magnetizes the reader through his narrative power and the vitality of a complex feminine protagonist.

If *chutzpah* were an adjective, Shirley Hartman would be its superlative form. From the age of six she competes fiercely and brilliantly. Even the death of her mother, a year later, does not hinder her except through occasional refrains that persist like a Jewish Greek chorus: "Shirley, be nice, be careful. Try to be liked. Pay compliments . . . Be clever but not a smart-ass." She is undeterred, does unto people first what she thinks they would want to do to her, conquers all antagonists and revels in her power. A National Merit Scholarship winner, she graduates brilliantly from Barnard, receives a Fiorello LaGuardia award from New York City at the age of 21, is a frequent guest on television shows, and in a few years is at the apex of a career in advertising. She is a perpetual valedictorian—and doesn't wear glasses.

Yet, at 29, when you have become the living proof that you are better than most men in your profession, what do you do with the rest of your life? Shirley confronts this question of emotional survival upon meeting Al Chunin, a wealthy dilettante whose life-style completely contradicts her own. He leads a leisured life in Connecticut engaged in profound cogitation over the rewriting of the Ten Commandments. However his philosophy concerning human dignity and fulfillment is as literate as hers. Shirley realizes that her unbroken score may well have met its match, even after a Bermuda weekend in which they enjoy mutual seduction.

Living Room is not a polemical novel about women liberationists. Sol Stein has written this book as a humanoid concerned with his fellow beings. Shirley is uninterested in "movements" except her own. She is a competitor and a winner because her mind is structured and creative, her temperament enterprising, and her personality dynamic: characteristics common to winners. She is as much a feminist as Portia, Becky Sharpe or Scarlett O'Hara. In her, Stein has created a modern heroine yearning for that living space that men and women need after social and financial triumph. The reader's interest is bagged and caught in the opening scene: Shirley teetering on a roof's edge staring at the gutter 20 stories below her.

This novel will not join the immortals. The only clear character is Shirley; the others are gauzed figures. Some feminists may also maintain that even her portrait, while vivid, is distorted. However Stein is convinced that human emotions have no gender. *Living Room* is the kind of novel one keeps on reading long after the clock warns of surrendered sleep. It is a Literary Guild alternate selection.

Kauffmann, *from page 22*

Derivative—and harmful to Dumas.

We can conjecture. No Lester film except the Beatles pictures made much money, if any. *The Bed Sitting Room*, from a Spike Milligan play, was a disaster. (And the disastrous Milligan is present again here.) It almost seems as if Lester were permitted to return on condition that he be un-Lesterly and stick to strictly linear slapstick.

But *The Three Musketeers* isn't very successful even in that vein. David Watkin, one of the best living cinematographers, has worked for Lester before, but here his recently developed style—the clerestory lighting of *The Homecoming*—is much too serious for what happens in it. The jocular seems out of place in these exquisite shots. The script, by George Macdonald Fraser, is a sequence of stunts and set-pieces, rather than a strong sequential narrative. D'Artagnan and his three friends are stripped of character and become interchangeable brawlers—so Dumas is robbed of his nice touches of sentiment. And the conclusion is just a limp pageant.

There is an immense star-studded cast, but Charlton Heston, the Richelieu, is by far the most impressive because his role is the only one given a few tatters of characterization. Raquel Welch, the Constance, is asked to look sexy and play comedy; she succeeds at the first. Geraldine Chaplin is Anne of Austria, the woman whose beauty is supposed to be the keystone of the plot. No wonder it all collapses. Michael York, the D'Artagnan, is a good actor, but lightness is not his forte. There's no point in naming the actors of the musketeers. The roles are such faceless mechanisms that any three actors would have served.

It's one dragged-out forced laugh. No sweep, no romance, no convincing chivalric tradition to mock. And, worst of all, no Lester. Not the Lester who has been missing for too long.

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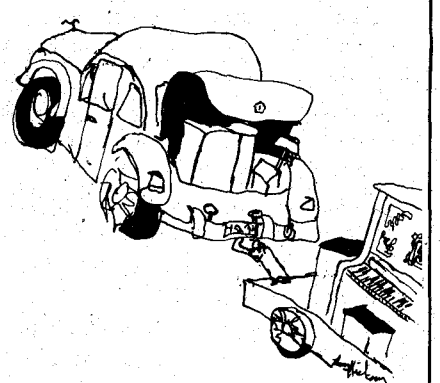

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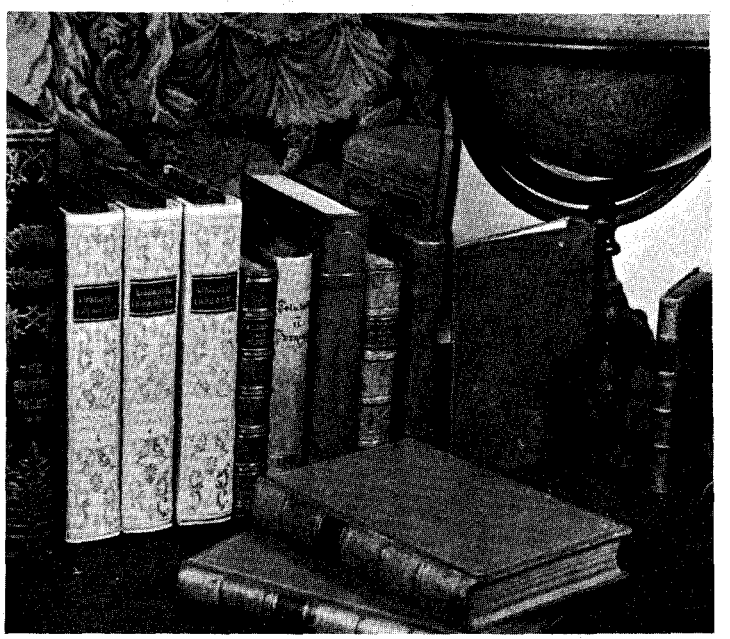

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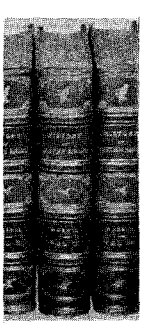

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